

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26327 of 2024

Arising Out of PS. Case No.-795 Year-2019 Thana- NAWADAH COMPLAINT CASE Dis-
trict- Nawada

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Chandan Sharma Son of Parmeshwar Sharma R/o Village- Madanpur, P.S.-
Narhat in the District of Nawada

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Soni Kumari D/o Ram Vilas Sharma R/o Village- Kajichak, P.S.- Roh in the
District of Nawada

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Sunil Kumar
For the Opposite Party/s	:	Mr.Sanjay Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 21-09-2024 1. Heard the parties.

2. The petitioner apprehends his arrest in connection with
Complaint Case No. 795 of 2019 dated 27.07.2019 registered
for the offence punishable under Sections 498(A), 323 of the
I.P.C. and Section 3/4 of the D.P. Act.

3. As per the complaint petition the marriage of the
complainant was solemnized with the petitioner on 23.06.2010
and after few months her in-laws family members started
demanding one motorcycle and Rs. 50,000/- as dowry and due
to non fulfillment of the demand she was ousted from the
matrimonial home on 25.07.2017.

4. Learned counsel for the petitioner submits that the



petitioner has not committed any offence in the manner alleged and he has falsely been implicated in this case. The petitioner never demanded any dowry either in cash and / or kind. He further submits that though the marriage was solemnized in the year 2010 the present complaint petition has been filed in the year 2019 i.e. after lapse of 09 years. The petitioner is ready to keep his wife (complainant / Opposite Party No. 2) with full honour and dignity. However, without prejudice to the right and contention of the petitioner and in order to maintain harmony in the family, the petitioner undertakes to pay a sum of Rs. 5,000/- per month to the Opposite Party No. 2 as “living cost” subject to final outcome of the present case as well as matrimonial case and / or maintenance case filed and decided between the parties.

5. Learned counsel for the complainant / Opposite Party No. 2 accepts the offer so made by learned counsel for the petitioner and submits that the petitioner may be directed to deposit the said amount of Rs. 5,000/- per month in the bank account of the complainant / Opposite Party No. 2, details of which shall be furnished by learned counsel for the Opposite Party No. 2 to learned counsel for the petitioner within ten days from today.

6. After having heard learned counsel for the parties and taking into consideration the materials on record and the fact



that the offer made by learned counsel for the petitioner has been accepted by learned counsel for the Opposite Party No. 2, as such, I am inclined to grant the privilege of anticipatory bail to the petitioner.

7. Let the petitioner, above named, in the event of his arrest / surrender before the learned court below within a period of six weeks from today be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Nawada in connection with Complaint Case No. 795 of 2019 subject to the condition as laid down under Section 438(2) of the Cr.P.C. as well as the following condition:-

“that the petitioner shall deposit a sum of Rs. 5,000/- per month in the bank account of the Opposite Party No. 2 positively by the 7th day of every month starting from the month of October, 2024.”

(Anil Kumar Sinha, J)

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