

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30220 of 2024

Arising Out of PS. Case No.-647 Year-2018 Thana- MADHUBANI COMPLAINT CASE
District- Madhubani

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Chandan Kamat Son of Mahendra Kamat Resident of Village- Narayan Patti,
P.S.- Rajnagar, District- Madhubani

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Sudhira Devi Wife of Chandan Kamat, D/o of Yugal Kamat Resident of Village- Narayan Patti, P.S.- Rajnagar, District- Madhubani. Presently Residing at Village (Maike)- Jhanjharpur Purbtol, Ward No. 03, P.S.- Jhanjharpur, District- Madhubani

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Shivnandan Bharti
For the Opposite Party/s	:	Mr.Mohammed Arif

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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 bearing C.R. Case No. 647 of 2018 dated 11.10.2018 registered for the offence punishable under Sections 147, 323, 341, 447, 379, 498(A), 504, 34 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 / Sudhira Devi was solemnized with the petitioner on 20.05.2017 and after six months she was subjected to mental and physical torture by the accused persons due to non fulfillment of the dowry demand of motorcycle and Rs. 100000/- and



a “panchayati” was held and after that she went to her matrimonial home, but again, the accused persons started demanding Rs. 100000/- and a motorcycle and tortured and ousted her from her matrimonial home.

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 neither demanded a single farthing from the complainant or her parents nor tortured or assaulted the complainant. He further submits that the fact of the matter is that the complainant herself is not ready to adjust in the joint family of the petitioner. The petitioner is still 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 the 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 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 S.D.J.M., Jharkhandpur, Madhubani in connection with Complaint Case bearing C.R. Case No. 647 of 2018 subject to the condition as laid down under Section 438(2) of the Cr.P.C. as well as the following condition:-

(i) 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)

praful/-

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