

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26613 of 2024

Arising Out of PS. Case No.-829 Year-2023 Thana- NAWADAH COMPLAINT CASE Dis-
trict- Nawada

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Karan Kumar S/o- Kishori Yadav R/o- Village- Janghaul, Tola- Rupanbigha-
PS- Sirdalla, Distt- Nawada

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Vibha Kumari W/o-Karan Kumar D/o- Rajendra Prasad Yadav, R/o- Village-
Khemchand Bigha, PO- Nanaura, PS- Nawada, Distt- Nawada

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Deepak Kumar

For the Opposite Party/s : Mr.Rajiv Nayan

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 18-09-2024 1. Heard the parties.

2. The petitioner apprehends his arrest in connection with
Complaint Case No. 829 of 2023 dated 14.07.2023 registered
for the offence punishable under Sections 498(A), 406, 120(B)
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 / Opposite Party No. 2 was solemnized with the
petitioner on 01.05.2018 as per Hindu rites and rituals and out
of the wedlock she has been blessed with a daughter. It is
alleged that after birth of girl child the accused persons started



demanding Rs. 2 Lakhs as dowry and due to non fulfillment of the same, she was tortured both physically and mentally. On 07.06.2023 the complainant was assaulted and ousted from her matrimonial home after snatching all her belongings.

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 petitioner earns his livelihood by doing labour work and lives in a rented accommodation along with co-workers and there is no fixed place of his stay. He next submits that after marriage the complainant expressed her desire to live along with the petitioner but the petitioner could not fulfill her desire due to his meager earnings. 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. 829 of 2023 subject to the condition as laid down under Section 438(2) of the Cr.P.C. and 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 start-



ing from the month of October, 2024.

(Anil Kumar Sinha, J)

praful/-

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