

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33408 of 2024

Arising Out of PS. Case No.-1013 Year-2022 Thana- COMPLAINT CASE District- Araria

Vivek Kumar Ananad son of Panchanand Nayak Resident of Village- Naya
Tola Katihar, Ward No.-34, P.O.- Katihar, P.S.- Katihar, Dist.- Katihar

... .. Petitioner/s

Versus

1. The State of Bihar Patna
2. Guddi Kumari @ Pinki Kumari wife of Vivek Kumar Ananad At present R/o
Village- Kharsahi Tola, Jagta, Ward No.-05, P.O.- Jagta, P.S.- Raniganj,
Dist.- Araria, Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Nishant Kumar Sinha, Adv,
For the Opposite Party/s :	Mr. Surendra Kumar, APP.
	Mr. Madhav Jha, Adv.
	Mr. Kanchan Jha, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

5 12-11-2024 Heard learned counsel for the petitioner, learned APP for
the State and learned counsel for the complainant.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 498A, 34
of the Indian Penal Code.

3. Petitioner, who is husband of complainant, is said to
have tortured upon her physically and mentally and ousted her
from her matrimonial house in association of his family
members over the dowry demand.

4. It is submitted by learned counsel for the petitioner
that the petitioner is an innocent person and has committed no
offence. He has falsely been implicated in the present case due



to ulterior motive. He has neither made any dowry demand nor tormented her over the demand of dowry nor drove her out of her matrimonial home. All the allegation levelled against the petitioner is totally false and based on concocted facts. The real fact is that the complainant herself did not want to live in her matrimonial house with her in-laws and when the petitioner and his parents tried to understand her, she became furious and filed this false case. Learned counsel further submits that petitioner has one criminal antecedent as mentioned in para 3 of the bail application.

5. In that view of the matter, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Complaint Case No. 1013 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

6. Petitioner is ready to pay Rs. 3,000.00 (Rupees Three Thousand) per month to the complainant in the second week of every month. If the petitioner fails to pay the aforesaid amount



on two consecutive months, complainant shall be at liberty to move before the learned Court below for cancelling the bail bond of the petitioner.

7. It goes without saying that the aforesaid payment shall be subject to any order being passed in matrimonial maintenance case or any other collateral proceedings.

8. Learned counsel for the complainant is directed to furnish the bank account details of the complainant in the learned Court below. If she fails to furnish the same, the aforesaid amount will be deposited in the learned Court below which will be released in favour of the complainant after she furnishes her bank account details.

9. If so advised, either of the parties will be at liberty to make an application before the learned Court below for referring the matter to the District Mediation Center for the purpose of reconciliation or one time settlement.

10. With the aforesaid observation and direction, this application stands disposed of.

(Anjani Kumar Sharan, J)

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