

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31389 of 2024

Arising Out of PS. Case No.-755 Year-2022 Thana- BUXAR COMPLAINT CASE District-
Buxar

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JITENDRA KUMAR SINGH SON OF LATE NANDJEE SINGH
RESIDENT OF VILLAGE - DUBWAL, P.S. - SHAHPUR, DISTRICT -
BHOJPUR (ARA)

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. SANDHYA DEVI DAUGHTER OF MURLIDHAR SINGH, WIFE OF
JITENDRA KUMAR SINGH RESIDENT OF VILLAGE - DALSAAGAR,
P.S. - BUXAR (INDUSTRIAL), DISTRICT - BUXAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arun Kumar Gupta
For the Opposite Party/s : Mr. Bishweshwar Ram

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 3 21-09-2024 1. Heard learned Counsel for the petitioner, learned Counsel
for the complainant-Opposite Party No. 2 and learned
Additional Public Prosecutor for the State.
2. The petitioner apprehends his arrest in connection with
Complaint Case No. 755 (C) of 2022, registered for the
offences punishable under Sections 498-
A/406/323/384/316 of the Indian Penal Code and
Sections 3/4 of the Dowry Prohibition Act.
3. The allegation, as per the complaint case, is that the
marriage of the Opposite Party No. 2 was solemnized
with the petitioner on 03.03.2015 and at the time of



marriage the father of the complainant gave Rs. 80,000/- cash and ornaments along with other household items as gift. In the meanwhile two children (a girl and a boy) were born out of the wedlock. The accused persons started taunting her for the birth of girl child and thereafter the petitioner and other family members started demanding a sum of Rs. 10,00,000/-. Due to non-fulfillment of the said demand, the complainant was harassed, tortured and assaulted. After some time the complainant was pregnant with another girl, as disclosed by ultra-sound and the petitioner and other family members forcibly got her pregnancy aborted. The complainant then left for her paternal house with her father due to ill treatment and illness. Panchayati was held but the petitioner and his family members refused to keep the complainant.

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. However, without prejudice to the right and contention of the petitioner, and in order to maintain harmony in the family, the petitioner is ready and willing to pay a sum of



Rs. 4,000/- per month to the Opposite Party No. 2 as living cost, subject to the final outcome of the present case as well as the matrimonial case, if any, pending and/or 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. 4,000/- 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 fifteen 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, I am inclined to grant the petitioner privilege of anticipatory bail.
7. This application is, accordingly, allowed.
8. 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 bail, upon



furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Buxar, in connection with Complaint Case No. 755 (C) of 2022.

9. This is subject to the condition that the petitioner shall deposit a sum of Rs. 4,000/- per month in the bank account of Opposite Party No. 2, staring from 10th October, 2024.

(Anil Kumar Sinha, J)

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