

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34960 of 2024

Arising Out of PS. Case No.-542 Year-2022 Thana- KADAMKUAN District- Patna

Kamal Kumar Son of Ajay Kumar Gupta Resident of - Flat No.- 4B, DDA
MIG Flat, Pocket B, Phase 2, Vivek Vihar, New Delhi - 110

... .. Petitioner/s

Versus

1. The State of Bihar
2. Monika Ranjan Daughter of Mukesh Ranjan Resident of - West Lohanipur,
Near Goriya Asthan, P.S. - Kadamkuan, District - Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Yogesh Kumar, Adv.
For the Opposite Party/s :	Mr. Suresh Prasad Singh, APP.
	Mr. Sandeep Patil, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 04-10-2024 Heard learned counsel for the for the petitioner, learned
APP for the State and learned counsel for the informant.

2. The petitioner apprehends his arrest in a case registered
for the offences punishable under Sections 498A, 315, 34 of the
Indian Penal Code.

3. Petitioner, who is husband of informant, is said to have
tortured upon her physically and mentally in association of his
family members over the dowry demand due to which she had to
face miscarriage. It is further alleged that the petitioner used to
threaten the informant to upload her obscene videos or
photographs on social media which had been taken in sleeping
condition without her knowledge and consent.

4. It is submitted by learned counsel for the petitioner that



the petitioner is an innocent person and has committed no offence. No such occurrence as alleged has ever taken place. The allegation levelled against the petitioner is totally false and based on concocted facts. The real fact is that the informant is single child of her parents, therefore, she used to make pressure upon the petitioner to leave his parents and buy a separate house so that she may reside with her parents and when the same was objected by the petitioner, the instant case has been filed. It is further submitted that similarly situated co-accused have been granted anticipatory bail by this Court vide order dated 22.06.2023 passed in Cr. Misc. No. 15413 of 2023. Petitioner has no 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 Kadamkuan P.S. Case No. 542 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. 6,000.00 (Rupees Six



Thousand) per month to the informant in the second week of every month. If the petitioner fails to pay the aforesaid amount on two consecutive months, informant 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 informant is directed to furnish the bank account details of the informant. 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 informant 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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