

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37066 of 2024

Arising Out of PS. Case No.-1384 Year-2020 Thana- VAISALI COMPLAINT CASE
District- Vaishali

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Harigovind Narayan Rai Son of Late Chandrakhet Narayan Rai R/O- vill-
Paguraha, kuraiya, P.S- Dighwara, Dist - Saran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Priya kumari Wife of Hargovind Narayan Rai D/o- Rajesh kumar Rakesh
R/O- Vill- Paguraha, Kuraiya, P.S- Dighwara, Dist- Saran at present residing
at Village - Bajitpur Saidat, P.S- Bidupur, Dist- Vaishali

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok
For the Opposite Party/s : Md. Matloob Rab

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 26-10-2024 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. No one appears on behalf of the O.P. No. 2.

3. The petitioner apprehends his arrest in a case
registered for the offences punishable under Section 498A of the
Indian Penal Code read with Section 4 of the D.P. Act.

4. Learned counsel for the petitioner submits that
petitioner, being husband, has been falsely implicated in the
instant case by the O.P. No. 2. It is also submitted that the case
was referred for mediation, but then the mediation failed. It is
next submitted that marriage of the O.P. No. 2 was performed
with the petitioner in the year 2013. It is next submitted that



earlier also, the O.P. No. 2 had instituted Dighwara P.S. Case No. 170 of 2020 in which petitioner was granted the privilege of anticipatory bail by an order dated 24.06.2023 in Criminal Miscellaneous No. 25864 of 2023. It is next submitted that O.P. No. 2 after instituting the aforesaid FIR also instituted the instant complaint case, it is next submitted that this amply demonstrates that O.P. No. 2 is only interested in harassing the petitioner when for seven years after marriage, no dispute had arisen and the allegation as alleged in the complaint appears to be general and omnibus in nature with regard to demand of dowry and torture.

5. The learned counsel further submits that petitioner, being husband, is aware of his responsibility and is willing to pay a monthly maintenance of Rs. 2500/- per month which shall commence from 11.11.2024.

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

7. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/-



(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Complaint Case No. C1/1384/2020 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

8. However, it is made clear that the O.P. No. 2 shall be at liberty to file an application before this Court seeking cancellation of the anticipatory bail granted to the petitioner in the event if the petitioner does not deposit/give the amount of monthly maintenance, as agreed, for two consecutive months.

9. It is further made clear that the present maintenance will stop, if the maintenance is fixed by a Court of competent jurisdiction.

10. Accordingly, the instant anticipatory bail application is allowed.

(Satyavrat Verma, J)

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