

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54028 of 2024

Arising Out of PS. Case No.-9 Year-2023 Thana- SAMASTIPUR COMPLAINT CASE Dis-
trict- Samastipur

=====

BIPIN KUMAR @ BIPIN MANJHI SON OF BISHWANATH MANJHI
RESIDENT OF VILLAGE - MAINTHA, P.S. - KUSHESHWAR STHAN,
DISTRICT - DARBHANGA

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR BIHAR
2. PINKI KUMARI WIFE OF BIPIN KUMAR, DAUGHTER OF NARAYAN
MANJHI RESIDENT OF VILLAGE - MUSAHARNIYAN, P.S. -
SINGHIA, DISTRICT - SAMASTIPUR

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s	:	Mr.Krishna Kumar
For the Opposite Party/s	:	Mr.Dr. Kumar Uday Pratap

=====

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 31-08-2024 1. Heard the parties.

2. The petitioner apprehends his arrest in connection with
Complaint Case No. 09 / 2023 dated 04.01.2023 registered for
the offence punishable under Sections 323, 379, 498A, 354, 504
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 was solemnized with the petitioner according to
Hindu rites and rituals only three months before the date of
filing of the complaint. After two months of the marriage, the
accused persons started demanding motorcycle and colour T.V.
from her parents and due to non -fulfillment of the demand, the



accused persons used to torture the complainant both physically and mentally. On 15.12.2022 at about 8:00 A.M. the accused persons assaulted the complainant and ousted her from the matrimonial home after snatching her ornaments.

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 for an incident which took place on 15.12.2022 the complaint has been filed on 04.01.2023 i.e. after a lapse of about 19-20 days. He further submits that as a matter of fact the marriage of the complainant with the petitioner was forcefully done by the parents of the complainant and thereafter the complainant never went to her “Sasural” and she does not want to live with the petitioner. 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. 3,000/- 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 petitioner may be directed to deposit the said amount of Rs. 3,000/- 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 Judicial Magistrate 1st Class, Rosara (Successor), Samastipur in connection with Complaint Case No. 09 / 2023 subject to the condition as laid down under Section 438(2) of the Cr.P.C. as well as the following condition:-

(i) that the petitioner shall deposit a sum of Rs. 3,000/- per



month in the bank account of the Opposite Party No. 2
positively by the 7th day of every month starting from the
month of September, 2024.

(Anil Kumar Sinha, J)

praful/-

U		T	
---	--	---	--

