

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.60428 of 2023

Arising Out of PS. Case No.-872 Year-2022 Thana- GOPALGANJ COMPLAINT CASE
District- Gopalganj

AMIT KUMAR @ AMIT SINGH S/o Umesh Singh R/o Village-Reotith
Baswariya Tola, P.S.-Baikunthpur, Dist-Gopalganj, Bihar

... .. Petitioner/s

Versus

1. The State of Bihar
2. NITU DEVI W/o Amit Kumar R/o Village-Reotith, Baswariya Tola, P.S.-
Baikunthpur, Dist-Gopalganj, Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vagisha Pragya Vacaknavi
For the Opposite Party/s : Mr. Jharkhandi Upadhyay

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

- 5 27-02-2024 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. 872 of 2022, registered for the
offences punishable under Section 498-A, 406, 323, 379
of the Indian Penal Code and Sections 3 and 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 18.05.2005. The petitioner and
other family members started demanding bolero car and
due to non-fulfillment of the said demand, the petitioner
and other family members tortured the Opposite Party
No. 2 physically as well as mentally. The petitioner, along
with his family members ousted the opposite party no. 2



from her matrimonial home. The petitioner has one daughter from the wedlock with opposite party No. 2.

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. Learned counsel further submits that the petitioner is innocent and has not committed any offence as alleged in the complaint. 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. 5,000/- 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. 5,000/- 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, 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, Gopalganj, in connection with Complaint Case No. 872 of 2022.
9. This is subject to the condition that the petitioner shall deposit a sum of Rs. 5,000/- per month in the bank account of Opposite Party No. 2, starting from 10th March, 2024.

(Anil Kumar Sinha, J)

HarshPandey/-

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