

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58087 of 2023

Arising Out of PS. Case No.-326 Year-2021 Thana- MADHUBANI COMPLAINT CASE
District- Madhubani

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PAWAN KAMAT @ PAWAN KUMAR CHOUDHARY @ PAWAN
CHAUDHARY SON OF ANIRUDH KAMAT @ ANURUDH
CHAUDHARY RESIDENT OF VILLAGE - JAGATPUR @ JAGATPUR
GOTH, P.S. - RAHIKA, DISTRICT - MADHUBANI

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. ARCHNA KUMARI WIFE OF PAWAN KAMAT RESIDENT OF
VILLAGE - JAGATPUR, P.S. - RAHIKA, DISTRICT - MADHUBANI, AT
PRESENT DAUGHTER OF SHIVJI CHAUDHARY, RESIDENT OF
SHANKARPUR, P.S. - BHAIKAVSTHAN, DISTRICT - MADHUBANI

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ratanakar Jha
For the Opposite Party/s : Mr. Ramesh Chandra

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 4 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. 326 of 2021 (TR No. 2647 of 2022),
registered for the offences punishable under Section 498-
A of the Indian Penal Code.
3. The allegation, as per the complaint case, is that the
marriage of the Opposite Party No. 2 was solemnized
with the petitioner on 12.05.2019, the petitioner and other
family members started demanding a sum of Rs.
2,00,000/- and a motorcycle 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, snatched the belongings and ousted the opposite party no. 2 from her matrimonial home.

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. 3,000/- 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 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. 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, 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, Madhubani, in connection with Complaint Case No. 326 of 2021.
9. This is subject to the condition that the petitioner shall deposit a sum of Rs. 3,000/- per month in the bank account of Opposite Party No. 2, starting from 10th March, 2024.

(Anil Kumar Sinha, J)

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