

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54212 of 2024

Arising Out of PS. Case No.-27 Year-2024 Thana- MAHILA PS District- Buxar

Pradeep Rai Son of Anil Rai R/O Vill.- Awathahi, P.s.- Bhawarkol, Dist.-
Gazipur, U.P.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Manisha Kumari Wife of Pradeep Rai, D/O Shivanand Pathak R/O Vill.-
Jaso, P.S.- Buxar, Mufassil, Dist.- Buxar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Satyapal Singh, Advocate
For the Opposite Party/s : Mr.Kanhiya Kishor, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 31-08-2024 1. Heard learned Counsel for the petitioner, learned
Counsel for the informant-Opposite Party No. 2 and learned
Additional Public Prosecutor for the State.
2. The petitioner apprehends his arrest in connection
with Buxar Mahila PS Case No. 27 of 2024, registered for the
offences punishable under Sections 323, 498-A, 379/34 of the
Indian Penal Code and Sections 3/4 of the Dowry Prohibition
Act.
3. The allegation, as per the First Information Report,
is that the marriage of the Opposite Party No. 2 was solemnized
with the petitioner in June, 2021 and after sometime, the
petitioner and other family members started demanding



Rs. 2 by way of dowry. When the said demand was not fulfilled, the petitioner and other family members continued to torture her. It is further alleged that out of the wedlock, O.P. No.2 delivered a female child but the petitioner and his family members tried to kill the child.

4. Learned Counsel for the petitioner submits that there is general and omnibus allegation levelled against the petitioner and nothing specific has been alleged against him. Petitioner is stated to be having no criminal antecedent. 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 informant-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 informant-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 one week



from today.

6. Regard being had to the submissions made on behalf of 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, Buxar, in connection with Buxar Mahila PS Case No. 27 of 2024.

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 positively, starting from 11th September, 2024.

(Anil Kumar Sinha, J)

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