

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56701 of 2024

Arising Out of PS. Case No.-1814 Year-2023 Thana- GOPALGANJ COMPLAINT CASE
District- Gopalganj

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Chandan Singh @ Chandan Kumar Son Of Ganesh Singh R/V- Village-
Khaki Baba Ke Pipra, P.S.- Goriakothi, Distt.- Siwan

... .. Petitioner/s

Versus

1. The State of Bihar
2. Puja Kumari Wife Of Chandan Singh, D/O- Baleshwar Singh R/O- Village-
Khaki Baba Ke Pipra, P.S.- Goriakothi, Distt.- Siwan, Present Address-
Resident Of Village- Badheya, P.S.- Barauli, Distt.- Gopalganj

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Mithilesh Kumar Upadhyay, Advocate Mr. Tetara Kumar, Advocate Mr. Raju Prasad, Advocate
For the State	:	Mr. Nityanand, APP
For the O.P. no.2	:	Mr. Shushil Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

3 13-12-2024 Heard the parties.

2.. The petitioner apprehends his arrest in connection
with Complaint Case No. 1814 of 2023 (Trial No. 2187 of 2023)
registered for the offence punishable under Sections 323, 406,
498(A) of the Indian Penal Code and Section 3/4 of the Dowry
Prohibition Act.

3. Vide order of this Court dated 04.09.2024, the
instant petition for anticipatory bail was referred to Patna High
Court Mediation Centre in order to explore the feasibility of
amicable reconciliation between the parties. Thereafter, the
mediation proceeding took place on 10.12.2024 and it reveals



that even after best and sincere efforts the dispute between the parties could not be resolved, hence the mediation failed. Since the mediation has failed, the matter has again come up before the Bench for consideration of anticipatory bail.

4. The prosecution case, in short, is that the petitioner along with other co-accused demanded additional dowry and on non-fulfillment of the same, they tortured and assaulted the complainant. Thereafter, on 20.05.2023, they ousted the complainant from her matrimonial home keeping her entire belongings.

5. Learned counsel for the petitioner submits that the petitioner has not committed any offence in the manner as alleged and he has falsely been implicated in this case. He next submits the allegation of demand of dowry is totally false as the same has been levelled in order to harass the petitioner and his family.

6. 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. 5,000/- per month to the Opposite Party No. 2 as “living cost”.

7. Learned counsel for the 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 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.

8. 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 anticipatory bail to the petitioner.

9. 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. 10000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned court of S.D.J.M., Gopalganj/Concerned Court in connection with Complaint Case No. 1814 of 2023 (Trial No. 2187 of 2023), subject to the condition as laid down under Section 438(2) of the Cr.P.C. as well as the following conditions:-

(i) The petitioner shall deposit a sum of Rs. 5,000/- per month in the bank account of Opposite Party No. 2 positively by the 1st week of every month starting from the



month of January, 2025.

(ii) In the event, the petitioner does not pay the monthly maintenance, as agreed, for two consecutive months, the O.P. No. 2 shall be at liberty to file an application before the court below seeking cancellation of the anticipatory bail granted to the petitioner and the court below shall pass appropriate order in accordance with law.

(Khatim Reza, J)

Sankalp/-

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