

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62866 of 2023

Arising Out of PS. Case No.-28 Year-2022 Thana- MAHILA P.S. District- Muzaffarpur

SHAILENDRA KUMAR VIJAY S/O SATYA NARAYAN PRASAD R/O
WEST SIDEOF ARA CLUB, BLOCK ROAD, P.S- ARRAH, DISTT.-
BHOJPUR AT ARA.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sweta Prasad D/o Yugal Kishor Chaudhary R/o vill - Sakra, Faridpur, P.S. - Sakara, Distt. - Muzaffarpur, Pin - 843105 (Bihar)

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vipin Kumar Singh, Advocate
For the Opposite Party/s : Mr.Ashok Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 3 29-02-2024 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 Muzaffarpur (East) Mahila PS Case No. 28 of 2022, in which cognizance has been taken under Section 498-A and other allied sections of the Indian Penal Code.
3. The allegation, as per the First Information Report, is that the marriage of the Opposite Party No. 2 was solemnized with the petitioner on 29.06.2007 and after sometime, the petitioner and other family members started demanding dowry. It is further alleged that 26.04.2022 at 7.30 am, when



both children of informant had gone to school, all accused persons abused and assaulted the informant with intention to kill her.

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. 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 ten days 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 C.J.M., Muzaffarpur, in connection with Muzaffarpur (East) Mahila PS case no. 28 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 positively, starting from 10th March, 2024.

(Anil Kumar Sinha, J)

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