

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59009 of 2023

Arising Out of PS. Case No.-5264 Year-2019 Thana- PATNA COMPLAINT CASE District- Patna

SUDHIR KUMAR S/O LATE VINOD KUMAR YADAV R/O VILLAGE-
LALPOKHAR, PS- SADAR HAJIPUR, DISTRICT- VAISHALI

... .. Petitioner/s

Versus

1. The State of Bihar
2. KHUSHBOO W/O- SUDHIR KUMAR, D/O- CHANDRA SHEKHAR PRASAD RAY R/O- SHASHI NIWAS, VIKASH COLONY, P.S.- SHASTRI NAGAR, DISTRICT- PATNA

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pranav Kumar, Advocate
For the Opposite Party/s : Mr. Rana Randhir Singh, APP
For the informant : Mr. Ajay Veer, Advocate

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 27-02-2024 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 Complaint Case No. 5264(C) of 2019, registered for the offences punishable under Section 498-A of the Indian Penal Code and Section 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 on 18.11.2013 and after sometime, the petitioner and other family members started demanding



Rs. 5 lacs and AC car by way of dowry. When the said demand was fulfilled, the petitioner and other family members again demanded 42” LED TV and other household articles but the said demand was not fulfilled 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.

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 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 S.D.J.M., Patna, in connection with Complaint Case No. 5264(C) of 2019

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 March, 2024.

(Anil Kumar Sinha, J)

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