

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58079 of 2023

Arising Out of PS. Case No.-136 Year-2019 Thana- ROHTAS COMPLAINT CASE District-
Rohtas

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BHARAT RAM @ RAJU RAM SON OF VINAY RAM RESIDENT OF
VILLAGE- MAHURAON, PS- NAUHATA, DISTT- ROHTAS

... .. Petitioner/s

Versus

1. The State of Bihar
2. THE GITA DEVI WIFE OF BHARAT RAM @ RAJU RAM RESIDENT OF
VILLAGE- SHAHPUR, PS- NAUHATTA, DISTT- ROHTAS

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jai Prakash Singh
For the Opposite Party/s : Mr. Nitya Nand Tiwary

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

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| 3 | 27-02-2024 | <ol style="list-style-type: none">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. 136 of 2019, registered for the offences punishable under Sections 498-A/494/406/34 of the Indian Penal Code and Sections 4 of the Dowry Prohibition Act.3. The allegation, as per the complaint case, is that the marriage of the Opposite Party No. 2 was solemnized with the petitioner on 05.05.2023 and at the time of marriage the father of the complainant gave Rs. |
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1,50,000/- cash and ornaments of gold and silver as gift.

It has further been stated that till 2008 both the husband and wife lived happily, however, after 2008 the complainant was tortured by the petitioner and other family members and they started demanding a sum of Rs. 3,00,000/- as dowry. Due to non-fulfillment of the said demand, the complainant was ousted from her matrimonial home and subsequently the petitioner performed second marriage with one Pinki Kumari on 22.12.2017.

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 and/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 Sub Divisional Judicial Magistrate, Dehri-on-sone, Rohtas, in connection with Complaint Case No. 136 of 2019.
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, staring from 10th March,
2024.

(Anil Kumar Sinha, J)

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