

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62290 of 2024

Arising Out of PS. Case No.-917 Year-2023 Thana- NALANDA COMPLAINT CASE
District- Nalanda

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Raj Kumar Raut @ Raj Kumar Mahto @ Raj Kumar S/o- Ranjit Raut @
Rajneet Kumar Mahto Village- Gonawan PS-Harnaut District- Nalanda

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rajnai Kumari Wife of Raj Kumar Raut Village- Samasti PS-Deepnagar
District- Nalanda

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raj Kishor Prasad

For the Opposite Party/s : Dr. Indihar Kumari

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

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| 2 | 17-10-2024 | <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. 917C of 2023, registered for the offences punishable under Sections 498-A/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 28.05.2023 and at the time of marriage the father of the complainant gave Rs. 10 Lakh |
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cash, ornaments of gold and silver as gift and other valuable articles as gift. After some time the husband and his family members started demanding Rs. 5 Lakh and a motorcycle as dowry and due to non-fulfillment of the said demand, they started harrassing and torturing the complainant mentally and physically. It has also been alleged that one day husband of the complainant tried to kill her by putting pillow on her face and he used to consume intoxicating articles and assault the complainant. The complainant then informed her parent about the same, they came and tried to pacify the situation but of no avail. The husband and his family members abused and assaulted the complainant and finally ousted her from matrimonial home.

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. 4,000/- 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. 4,000/- 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, Biharsharif, in connection with Complaint Case No. 917C of 2023.

9. This is subject to the condition that the petitioner shall deposit a sum of Rs. 4,000/- per month in the bank account of Opposite Party No. 2, staring from 11th November, 2024.

(Anil Kumar Sinha, J)

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