

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59644 of 2023

Arising Out of PS. Case No.-437 Year-2017 Thana- NALANDA COMPLAINT CASE
District- Nalanda

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PRIYA JEEVAN @ BIKKI S/O LATE MUKUND SINGH R/O VILLAGE-
RATANPUR (KOTHI), P.S- BEGUSARAI, DISTT.- BEGUSARAI.

... .. Petitioner/s

Versus

1. The State of Bihar
2. RAKHI MEDHAVI W/O PRIYA JEEVAN R/O VILLAGE- RATANPUR
KOTHI, P.S- BEGUSARAI, DISTT.- BEGUSARAI AT PRESENT C/O SRI
MANNU BHAI MEDHAVI OF VILLAGE- NARI, P.S- NOOR SARAI,
DISTT.- NALANDA.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kaushal Kumar Singh
For the Opposite Party/s : Mr. Lakshmi Kant Sharma

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 4 27-02-2024 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. 437 (C) of 2017, registered for the
offences punishable under Section 498-A, 34 of the
Indian Penal Code and Sections 3 and 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 26.04.2016. The petitioner and



other family members started demanding Rs. 10 lacs and share in property, 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 and even confined her in a room. The petitioner, along with his family members ousted the opposite party no. 2 from her 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. Learned counsel further submits that the prosecution story is false and concocted and the matter was entirely different. He further submits that the lady was arrogant and she continuously used to abuse and disrespect the parents of petitioner and was not ready to live at her matrimonial home. 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, Bihar Sharif, Nalanda, in connection with Complaint Case No. 437



(C) of 2017.

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 10th March, 2024.

(Anil Kumar Sinha, J)

HarshPandey/-

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