

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64494 of 2023

Arising Out of PS. Case No.-101 Year-2022 Thana- JAKKANPUR District- Patna

Ravi Shankar @ Guddu Kumar, S/O Premchand Prasad, R/O Sanjay Nagar,
Road No. 09, P.S- Jakanpur, Distt.- Patna, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Prabhat Ranjan, Advocate
For the Opposite Party/s	:	Mr. Satyendra Narayan Singh, APP
For the Informant	:	Mr. Vijay Kumar Sinha, Advocate

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

5 07-02-2024 Heard Mr. Prabhat Ranjan, learned counsel appearing on behalf of the petitioner and Mr. Vijay Kumar Sinha, learned counsel for the informant. The State is represented by Mr. Satyendra Narayan Singh, learned APP.

2. The petitioner, who happens to be the husband of the informant, is apprehending his arrest in connection with Jakkanpur P.S. Case No.101 of 2022 registered for the offences punishable under Sections 341, 323, 504, 379, 498(A)/34 of the Indian Penal Code and Sections 3/4 of the Dowry Prohibition Act.

3. Allegedly the marriage of the petitioner was solemnized with the informant on 24.02.2018, as per Hindu rites and rituals. At the time of marriage, ample gifts worth



amounting to Rs.20,00,000/- was given to the petitioner. However, soon after the marriage, the informant was subjected to further demand of Rs. 5,00,000/- and a four wheeler car and on account of non-fulfillment of the same, she was not allowed to enter her matrimonial house. Further, allegation has also been levelled by the informant that the petitioner is having illicit relationship with his sister-in-law (Bhabhi).

4. It is submitted on behalf of the petitioner that in fact the entire allegation is made with an ulterior motive, only in order to mount pressure upon the petitioner and a dispute which is based on matrimonial discord, having given the colour of criminal case, only in order to wreak vengeance. He next submitted that prior to the institution of the present case, the petitioner has filed Jakkanpur P.S. Case No. 100 of 2022 against the informant and her family members and the present case is nothing, but a counter blast.

5. On the other hand, learned counsel for the informant as well as State drew the attention of this Court to the F.I.R. and submitted that how the informant was subjected to torture in various ways.

6. This Court having taken note of the nascent stage of the marriage and age of the couple gave adequate chance to



them to settle the matter outside the Court and will start their matrimonial life, but despite the best effort, no settlement could take place.

7. It is to be noted that earlier vide order dated 18.10.2023, the petitioner was allowed the privilege of provisional bail with an undertaking that the petitioner will visit the house of the informant and take back her to her matrimonial home, but as per the submission of the informant, the same has not been done by the petitioner and he violated the undertaking given before this Court.

8. The aforesaid contention has been refuted by the learned counsel for the petitioner. He further submitted on the instruction of his client that he is ready to pay some monthly maintenance amount.

9. Considering the submissions advanced by the learned counsel for the parties and the materials available on record, as also the undertaking given by the petitioner that he is ready to pay an amount of Rs.4,000/- (Four thousand) per month to the informant, which would be credited in her account in the last week of every month. The provisional bail granted to the petitioner vide order dated 18.10.2023 is hereby confirmed and the period of surrender of the petitioner before the court below



is hereby extended for a further period of four weeks from today with the similar terms and the conditions, as mentioned in the order granting provisional bail.

10. Needless to observe that this order, in relation to payment shall remain enforce till any order passed by the competent court in the maintenance case and any defiance of the order shall give a fresh cause of action to the informant to file an appropriate application before the court below.

(Harish Kumar, J)

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