

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71201 of 2023

Arising Out of PS. Case No.-583 Year-2022 Thana- SIWAN COMPLAINT CASE District-
Siwan

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JITENDRA KUMAR SONI Son of Prahlad Soni R/o mohalla - Anand Nagar,
P.S. - Siwan Town, Distt. - Siwan

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR Bihar
 2. Ruchi Devi @ Arti Devi Wife of Jitendra Kumar Soni, D/o Rajesh Kumar Soni R/o Mohalla - Nirala Nagar, P.S. - Siwan town, Distt. - Siwan
- Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Ajay Kumar Tiwary
For the Opposite Party/s	:	Mr.Dashrath Mehta

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 21-03-2024 1. Heard the parties.

2. The petitioner apprehends his arrest in connection with Complaint Case No. 583 of 2022, Trial No. 3880 of 2022 registered for the offence punishable under Sections 498(A), 323, 406, 504, 506 of the I.P.C. and Section 3/4 of the Dowry Prohibition Act.

3. As per the complaint petition the marriage of the complainant was solemnized with the petitioner on 11.12.2020 according to Hindu rituals and customs. It is alleged that at the time of "Bidai" the accused persons including the petitioner started demanding "Pulsor" Motorcycle and Rs. 2 Lakh cash as dowry and due to non fulfillment of the demand, the accused persons started torturing the complainant in various ways.



4. Learned counsel for the petitioner submits that petitioner is innocent and has not committed any offence in the manner alleged. The petitioner never demanded any dowry either in cash and / or kind. He submits that the fact of the matter is that the complainant has herself deserted the petitioner and she is not ready to live with the petitioner and she has filed the present complaint at the instance of her father and mother. The petitioner is ready to keep his wife i.e. complainant / Opposite Party No. 2 with full honour and dignity. However, without prejudice to the right and contention of the petitioner and in order to maintain harmony in the family, the petitioner undertakes to pay a sum of Rs. 3000/- per month to the Opposite Party No. 2 as “living cost” subject to final outcome of the matrimonial case / maintenance case, if any, 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. 3000/- 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 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 anticipatory bail to the petitioner.

7. 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 anticipatory bail on furnishing bail bond of Rs. 10000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Siwan / concerned court in connection with Complaint Case No. 583 of 2022, Trial No. 3880 of 2022 subject to the condition as laid down under Section 438(2) of the Cr.P.C. as well as the following condition:-

(i) the petitioner shall deposit a sum of Rs. 3000/- per month in the bank account of Opposite Party No. 2 positively by the 7th day of every month starting from the month of April, 2024.

(Anil Kumar Sinha, J)

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