

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73629 of 2023

Arising Out of PS. Case No.-48 Year-2023 Thana- ARA NAWADA District- Bhojpur

PIYUSH KUMAR SON OF AJAY CHOUBEY @ AJAY KUMAR R/O MOHALLA- KURJI BALUPAR, P.S.- DIGHA, DISTRICT- PATNA

... .. Petitioner/s

Versus

1. The State of Bihar BIHAR
2. ANUPAMA KUMARI WIFE OF PIYUSH KUMAR AND D/O- ABHAYANAND TIWARI R/O MOHALLA- KURJI BALUPAR, P.S.- DIGHA, DISTRICT- PATNA AT PRESENT VILLAGE- CHANDWA, P.S.- ARA NAWADA, DISTRICT- BHOJPUR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Satyapal Singh
For the Opposite Party/s	:	Mr.Rana Randhir Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 05-03-2024 1. Heard the parties.

2. The petitioner apprehends his arrest in connection with Ara Nawada Case No.48 of 2023 dated 25/01/2023 registered for the offence punishable under Sections 406, 498A, 34 of the I.P.C. and Section 3/4 of the Dowry Prohibition Act.

3. As per the prosecution case the marriage of the informant was solemnized with the petitioner on 11.05.2022 in which the father of the informant gave Rs. 1500000/-, ornaments worth Rs. 500000/- etc. It is alleged that some days after the marriage the accused persons including the in-laws and the husband of the informant started mounting pressure upon the informant to bring Rs. 6000000/- for the purpose of purchase of a flat and



due to non fulfillment of the demand of dowry she was tortured both mentally and physically. It is further alleged that *bidai* was performed on 15.07.2022 and when on 05.08.2022 the informant returned back to her *sasural* the accused persons denied to keep her in 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. The entire allegation made in the F.I.R. is false and imaginary and has been levelled with a view to harass the petitioner. The petitioner never demanded any dowry either in cash or kind. The fact of the matter is that the informant never cared and respected her husband and her in-laws and also never performed the duties of being a wife or daughter-in-law. The petitioner is ready to keep his wife i.e. informant / 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. 7000/- 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 informant-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. 7000/- per month in the bank account of the informant / 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, as such, 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 Chief Judicial Magistrate, Bhojpur, Ara / concerned court in connection with Ara Nawada P.S. Case No. 48 of 2023 subject to the condition as laid down under Section 438(2) of the Cr.P.C. as well as the following condition:-

(i) that the petitioner shall deposit a sum of Rs. 7000/- per month in the bank account of Opposite Party No. 2



positively by the 7th day of every month starting from the
month of March, 2024.

(Anil Kumar Sinha, J)

praful/-

U		T	
---	--	---	--

