

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.78777 of 2024

Arising Out of PS. Case No.-1614 Year-2023 Thana- BEGUSARAI COMPLAINT CASE
District- Begusarai

Nishant Mishra Son of Sri Virendra Mishra Resident of Village- Narayan Balaha, P.S. Bihpur, Dist.- Bhagalpur. At present R/O Quarter No. 2169, 8th Street, 22, Siwan More, Bokaro Steel City, P.S. Bokaro, Dist- Bokaro, (Jharkhand).

... .. Petitioner/s

Versus

1. The State of Bihar
2. Harshita Wife of Nishant Mishra, D/O Manoj Kumar Jha R/O Mohalla- Vishwanath Nagar, Lane No.06, P.S- Town Dist.- Begusarai

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Chandan Kumar Kashyap
For the Opposite Party/s	:	Mr. Akshay Lal Pandit (App)
For the Informant	:	Mr. Miritunjay Kumar
	:	Ms. Megha Kumari
	:	Ms. Pampy Kumari

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

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| 2 | 28-11-2024 | <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. 1614 of 2023, registered for the offences punishable under Sections 498-A, 406, 120(B), 34 of the Indian Penal Code.3. The allegation, as per the complaint case, is that the marriage of the Opposite Party No. 2 was solemnized with the petitioner on 13.06.2019 and at the time of marriage the parents of the complainant gave Rs. 20 lacs cash and 5 bhars of gold ornaments and 20 bhars of silver ornaments worth Rs. 3 lacs and house hold articles worth Rs. 2 lacs as gift. However, after marriage the |
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complainant was tortured by the petitioner and other family members and they started demanding a sum of Rs. 5 lacs as dowry. Due to non-fulfillment of the said demand, the complainant was ousted 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. 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. 10,000/- 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. 10,000/- 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 Judicial Magistrate 1st Class, Begusarai, in connection with Complaint Case No. 1614 of 2023
9. This is subject to the condition that the petitioner shall deposit a sum of Rs. 10,000/- per month in the bank account of Opposite Party No. 2, starting from 10th December, 2024.

(Anil Kumar Sinha, J)

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