

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74229 of 2023

Arising Out of PS. Case No.-1176 Year-2019 Thana- WEST CHAMPARAN COMPLAINT
District- West Champaran

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KAILASH YADAV S/O LATE MAHAJAN YADAV VILLAGE- SIKTA
JAMUNIYA, PS. JOGAPATTI (SHANICHARI), DIST. WEST
CHAMPARAN

... .. Petitioner/s

Versus

1. The State of Bihar
2. LALSA DEVI W/O KAILASH YADAV, D/O LATE VEERA YADAV
VILLAGE- MANGALPUR, PS. SRINAGAR (PUJAH), DIST. WEST
CHAMPARAN

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Umesh Chandra Verma
		Mr. Hemant Ray
For the Opposite Party/s :		Mr. Ram Anurag Singh

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

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| 3 | 05-03-2024 | <ol style="list-style-type: none">1. Heard learned Counsel for the petitioner, learned Counsel
for the Opposite Party No. 2 and learned Additional
Public Prosecutor for the State.2. The petitioner apprehends his arrest in connection with
Complaint Case No. 1176-C of 2019, registered for the
offences punishable under Sections 498-A of the Indian
Penal Code and Sections 4 of the Dowry Prohibition Act.3. The allegation, as per the complaint, is that the marriage
of the opposite party no. 2 was solemnized with the
petitioner about 25-26 years ago. It has further been stated
that after lapse of so many years her husband-petitioner |
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started demanding she-buffalo and due to non-fulfillment of the said demand, the petitioner tortured opposite party no. 2 physically and mentally. The opposite party no. 2 was ultimately 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. 3,000/- 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. 3,000/- 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, Bettiah, West Champaran, in connection with Complaint Case No. 1176-C of 2019.
9. This is subject to the condition that the petitioner shall deposit a sum of Rs. 3,000/- per month in the bank account of Opposite Party No. 2, starting from 15th March, 2024.

(Anil Kumar Sinha, J)

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