

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73588 of 2023

Arising Out of PS. Case No.-338 Year-2022 Thana- MADHUBANI COMPLAINT CASE
District- Madhubani

RAM BHAROSH YADAV Son of Mohit Lal Yadav R/o village- Jafra, P.s.
Bisfi (Patauna O.P.), District- Madhubani

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rakhi Devi W/o Ram Bharosh Yadav R/O village- Jafra, P.s.- Bisfi((Patauna O.P.), District- Madhubani.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Gagan Deo Yadav
		Mr.Ravi Prakash
For the Opposite Party/s	:	Mr.Parmanand Prasad

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 C.R. Case No. 338 of 2022 dated 28.04.2022 registered for the offence punishable under Sections 323, 341, 498(A), 406, 504, 506 / 34 of the I.P.C. and Section 3/4 of the Dowry Prohibition Act.

3. As per the prosecution case the complainant got married to the petitioner according to Hindu rites and customs on 26.02.2016. At the time of marriage the father of the complainant gave gifts, ornaments, utensils, furnitures, motorcycle and rupees five lakh to his son-in-law (petitioner). After marriage the complainant went to her *sasural* (matrimonial home) where the accused persons including the petitioner started tor-



turing her for dowry and a four wheeler and due to non fulfillment of dowry demand, after snatching the personal belongings of the complainant, she was ousted from her matrimonial home.

4. Learned counsel for the petitioner submits that no occurrence in the manner alleged has ever taken place and the entire prosecution version is fully concocted and fabricated. He next submits that the petitioner is a student and is preparing for competitive examination to be conducted by B.P.S.C., which would be evident from the Admit Card annexed at Annexure-2. He further submits that the petitioner is ready to keep his wife / 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 / complainant 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 fur-



nished 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 S.D.J.M., Madhubani / concerned court in connection with C.R. Case No. 338 / 2022 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. 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 March, 2024.

praful/-

(Anil Kumar Sinha, J)

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