

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85320 of 2023

Arising Out of PS. Case No.-963 Year-2022 Thana- BHOJPUR COMPLAINT CASE
District- Bhojpur

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Kumar Vishal @ Vishal Kumar @ Vishal Singh

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Parijat Saurav, Adv.
For the Opposite Party/s : Mr. Lalan Kumar, APP.

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 02-12-2024 Heard learned counsels for the parties.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 498 A, 406, 379, 34 of the Indian Penal Code.

3. Learned counsel for the petitioner filed a supplementary affidavit to bring on record the fact that in the Maintenance Case No. 174 of 2022 filed by the O.P. No.2 against the petitioner, the learned Court of Principal Judge, Family Court, Bhojpur, Ara vide order dated 22.06.2024 has been pleased to order for giving of Rs. 5,000/- per month to the petitioner from 12.10.2023 as interim maintenance and the petitioner has been paid sum of Rs. 5,000/- per month from August, 2024 to November, 2024 during the mediation process. Learned counsel further stated that petitioner is ready to pay the



remaining amount for the period of 12.10.2023 to July, 2024 within a period of three months and further the petitioner will pay regularly Rs. 5,000/- from December, 2024 onward.

4. Petitioner, who is husband of opposite party no2., is said to have tortured and ousted the opposite party no.2 from her matrimonial home in association of his family members over the dowry demand.

5. It is submitted by learned counsel for the petitioner that the petitioner is an innocent person and has committed no offence. Petitioner has neither made any dowry demand nor drove her out of her matrimonial home nor tormented her over the demand of dowry.

6. Learned A.P.P. for the State and learned counsel for the O.P. No.2 oppose the prayer for anticipatory bail of the petitioner.

7. Considering the facts and circumstances of the case and supplementary affidavit filed on behalf of the petitioner, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court



below where the case is pending/successor Court in connection with Complaint Case No. 963 (c) of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.,

8. If so advised, either of the parties will be at liberty to make an application before the learned Court below for referring the matter to the District Mediation Center for the purpose of reconciliation or one time settlement.

9. With the aforesaid observation and direction, this application stands disposed of.

(Anjani Kumar Sharan, J)

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