

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49874 of 2024

Arising Out of PS. Case No.-70 Year-2023 Thana- GHANSHYAMPUR District- Darbhanga

Rakesh Mukhiya Son of Bahur Mukhiya Resident of Village - Deori, P.S.-
Ghanshyampur, District - Darbhanga.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Manoj Mukhiya Son of Asrafi Mukhiya Resident of Village - Fetki, P.S.-
Madhepur, District - Madhubani.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pankaj Kumar Jha

For the Opposite Party/s : Mr.Indu Kumari Srivastava

CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH

ORAL ORDER

9 03-04-2025 Heard learned counsel for the petitioner and

learned APP for the State.

2. The instant application for anticipatory bail has

been filed by the petitioner apprehending their arrest in a case

instituted for the offence punishable under Sections 341, 323,

498(A), 363/34 of the I.P.C. and Section 3/4 of D.P. Act.

3. As per the allegation, informant's sister was

married to petitioner in the year 2021. It is further alleged

that petitioner started torturing the complainant for dowry of

a motorcycle.

4. From perusal of the mediator's report (Flag 'A'),



it appears that the dispute between the parties could not be settled through the process of mediation. Hence, mediation failed.

5. In pursuance to the direction of this Court, petitioner appeared before the Court with their respective counsel. However, there is no representation on behalf of O.P. No. 2.

6. It is submitted on behalf of the petitioner that petitioner is innocent and he has falsely been implicated in the present case. He has neither demanded dowry nor tortured the complainant either physically or mentally. It is further submitted on behalf of the petitioner that he is ready to make payment of Rs. 2,000/- (two thousand rupees) per month to his wife (Kavita Devi) by depositing the same in her bank account and he will file an affidavit before the trial Court at the time of filing of bail bonds, regarding the aforesaid payment to show his *bona fide* conduct. It is further submitted that he is ready to pay two months advance maintenance at the time of filing of bail bonds.

7. The above payment will be adjusted in any order



passed in matrimonial proceeding by competent Court.

8. Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of their arrest or surrender in connection with Ghanshyampur P.S. Case No. 70 of 2023, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Biraul, Darbhanga, subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(S. B. Pd. Singh, J)

Nirajkrs/-

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