

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63456 of 2024

Arising Out of PS. Case No.-323 Year-2023 Thana- GOPALPUR District- Patna

=====

Tunnu Prasad @ Tunnu Ray S/o Late Bhagwan Ray Resident of Village-
Sirpatpur, Police Station- Gopalpur, District- Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Babita Devi @ Shobha Kumari D/o Swarath Rai Resident of Village-
Ramchandrapur, Biharsharif, Police station- Rahui District - Nalanda, at
present residing at Village Sirpatpur, Police station- Gopalpur, District Patna

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s	:	Mr.Ravi Shanker Pankaj
For the Opposite Party/s	:	Mr.Veena Kumari Jaiswal

=====

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

4 07-05-2025 Heard learned counsel for the petitioner, learned
counsel for the Opposite party no. 2 and the State.

2. Petitioner is apprehending his arrest in a case
registered for the offences punishable under sections 323, 341,
498A,315, 504/34 of the Indian Penal Code.

3. The case is one under section 498A and the
petitioner is the husband. The matter had earlier been sent to
the Mediation Center for resolution of disputes but the same had
failed.

4. The allegation of demand of dowry and torture had
been made in the FIR against the petitioner and his family
members including his step son.



5. Learned counsel for the petitioner submits that the present marriage is a second marriage for both the parties, the petitioner and O.P.No.2. The allegations made in the FIR are refuted by the petitioner and it has also been submitted that petitioner is actually the brother-in-law of the informant with whom subsequently, the marriage has been performed. It has also been submitted that the petitioner has three children from his first wife and he is also taking care of them and they were not being well treated by O.P.No.2. It has also been submitted that the O.P.No.2 herself does not want to stay in the matrimonial relationship as she has apprehensions that the property would be shared amongst the children of first wife of the petitioner.

5. The learned counsel for the O.P.No. 2 opposes the prayer for anticipatory bail.

6. At this stage, the learned counsel for the petitioner makes an offer to pay a sum of Rs. 2,500/- per month to the complainant, subject to final outcome of any maintenance or collateral proceeding.

7. Considering all the above mentioned facts and circumstances, I am inclined to grant privilege of anticipatory bail to the petitioner. Accordingly, in the event of his arrest/



surrender within a period of four weeks from today the petitioner shall be released on bail on furnishing bail bonds of Rs 10,000/- (ten 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 Gopalpur P.S.Case No. 323 of 2023, subject to condition as laid down under section 438(2) of the Cr.PC and subject to the further condition that the petitioner shall co-operate in investigation/ trial.

8.Learned counsel for the O.P.No. 2 under instruction, submits that she undertakes to provide her bank account details to the petitioner within a period of two weeks from today, if the O.P.No. 2 furnishes the bank account in which the amount can be transferred, and yet the petitioner fails to give the aforesaid amount on two consecutive dates to O.P.No.2, the O.P.No.2 would be at liberty to file cancellation of bail .

(Soni Shrivastava, J)

N.K/-

U		T	
---	--	---	--

