

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75362 of 2024

Arising Out of PS. Case No.-554 Year-2022 Thana- JHAJHA District- Jamui

Kailash Yadav Son of Jhopar Yadav Village-Keshopur, P.S.- Jhajha, District-
Jamui

... .. Petitioner/s

Versus

1. The State of Bihar
2. Dubni Devi W/o- Kailash Yadav, D/o- Lakhan Yadav, R/o- Vill.- Razala,
P.S.- Jhajha, Dist.- Jamui

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prabhat Ranjan Singh, Adv
For the Opposite Party/s : Mr.Sucheta Yadav, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 16-04-2025 Heard learned counsel for the petitioner, learned
counsel for the Informant and the State.

2. Petitioner apprehends his arrest in connection with
Jhajha P.S. Case No. 554 of 2022 registered for the offences
punishable under Sections 323,498(a), 494,307,313,511,379 of
the Indian Penal Code and section 3/4 of the D.P. Act.

3. A complaint case was filed by opposite party
no. 2 (wife) which was sent for institution of FIR under section
156(3) of the Cr.P.C thereafter the FIR was instituted. There is
allegation of demand of dowry of Rs. 1 lakh and one motorcycle
and torture inflicted upon her on non- fulfillment of the same.

4. Learned counsel for the petitioner submits that the
allegation made in the FIR are totally false and the petitioner
has never demanded any dowry and has never treated his wife



with cruelty. It has been further submitted that the present FIR is a counter blast of Jhajha P.S Case No. 326 of 2021 lodged by the petitioner against the brothers of the informant and their family members. The said FIR was brought on record by Annexure-P-1 and the injuries sustained in the said incident has also been annexed in the form of injury report as Annexure- P-2/1. The petitioner has also stated in Paragraph-12 of the petition that he is still ready to revive his matrimonial relation with the informant and he undertakes to keep her with full honour and dignity.

5. A counter affidavit has been filed on behalf of the OP No. 2 and the learned counsel for the informant has draws the attention of this Court to paragraph-6 of the said counter affidavit to show that the informant was subjected to mental and physical torture and also to show that the petitioner has two vehicles at Nasik at Maharashtra and his income is Rs. 1 lakh, while the informant does not have any source of income to maintain herself and her minor daughter.

6. At this stage, the learned counsel for the petitioner makes an offer to pay a sum of Rs. 4500/- per month to the informant, 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 petitioners 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 Chief Judicial Magistrate, Jamui in Jhajha P.S. Case No.554 of 2022, subject to condition as laid down under Section 438(2) of the Cr.P.C and subject to the further condition that the petitioner shall co-operate in investigation/ trial.

7. 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)

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