

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.76280 of 2024**

Arising Out of PS. Case No.-20 Year-2022 Thana- COMPLAINT CASE District- Supaul

1. Chandan Bhagat Son of Late Kanahaiya Lal Bhagat @ Kanahaiya Bhagat Resident of village- Araria, Bhagat Tola, Ward No. 28, P.S.- Araria, District- Araria
2. Gagan Bhagat @ Amrendra Bhagat @ Amrendra Son of Vijay Bhagat Resident of village- Araria, Bhagat Tola, Ward No. 28, P.S.- Araria, District- Araria

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Tulsi Kumari Wife of Chandan Bhagat Resident of Village- Bhagat Tola, Araria, Ward No. 28, P.S.- Araria, District- Araria, Present Address- D/O- Shatrughan Bhagat, Resident of Village- Bhagwatpur, P.S.- Chhatapur, Distt.- Supaul

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Gopal Kumar Jha  
For the Opposite Party/s : Mr.Sangeeta Sharma

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA**  
**ORAL ORDER**

5      12-05-2025      1. Heard the parties.

2. The petitioners apprehend their arrest in connection with Complaint Case No. 20 / 2022 dated 10.01.2022 registered for the offence punishable under Sections 120(B), 498(A) / 341 / 342 / 323 / 504 / 379 of the I.P.C.

3. As per the complaint petition the marriage of the complainant was solemnized with the petitioner no. 1 according to Hindu rites and rituals in the year 2014 and out of the wedlock she was blessed with a female child. It is alleged that all the accused persons including the petitioners by conspiring



and uniting among themselves started demanding Rs. 5 Lakh as dowry from the parents of the complainant and due to non fulfillment of the demand, the subjected her to cruelty both physically and mentally and lastly she was ousted along with her daughter from the matrimonial home.

4. Learned counsel for the petitioners submits that the petitioners have not committed any offence in the manner alleged and they have falsely been implicated in this case. The fact of the matter is that the complaint herself does not want to live in a cordial relationship with her old mother-in-law and in connivance with her parents has falsely lodged this case. The petitioner no. 1 is the husband of the complainant and he is ready to keep the complaint with full dignity and honour. The petitioner no. 2 is the maternal nephew of the complainant and he resides separately having no concern with the family affairs of the complainant and her husband. It is further submitted that the petitioners neither demanded a single farthing from the complainant or her parents nor tortured or assaulted the complainant. However, without prejudice to the right and contention of the petitioners and in order to maintain harmony in the family, the petitioner no. 1 undertakes to pay a sum of Rs. 4,000/- per month to the Opposite Party No. 2 as "living



cost” subject to final outcome of the present case as well as matrimonial case and / or maintenance case filed and decided between the parties.

5. Learned counsel for the complainant / Opposite Party No. 2 accepts the offer so made by learned counsel for the petitioners and submits that petitioner no. 1 may be directed to deposit the said amount of Rs. 4,000/- per month in the bank account of the complainant / Opposite Party No. 2, details of which shall be furnished by learned counsel for the Opposite Party No. 2 to learned counsel for the petitioners 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 petitioners has been accepted by learned counsel for the Opposite Party No. 2, as such, I am inclined to grant the privilege of anticipatory bail to the petitioners.

7. Let the petitioners, above named, in the event of 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. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned J.M. 1<sup>st</sup> Class, Supaul in connection with Complaint Case No. 20 /



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 no. 1 shall deposit a sum  
of Rs. 4,000/- per month in bank account of the  
Opposite Party No. 2 positively by the 7<sup>th</sup> day of  
every month starting from the month of June, 2025.

(Anil Kumar Sinha, J)

praful/-

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