

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74771 of 2024

Arising Out of PS. Case No.-968 Year-2023 Thana- BARACHATTI District- Gaya

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Munna Kumar Bharti @ Munna Kumar @ Munna Yadav @ Munna Yadav
Son of Bharat Yadav @ Rambarat Yadav @ Ram Bharat Yadav Resident of
Village - Jogini P.S. - Mohanpur, District - Gaya

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sushma Devi Wife of Munna Kumar Bharti Resident of Village - Jogini P.S.
- Mohanpur, District - Gaya, At present Daughter of Shyam Sundar Yadav,
Village - Lakhaipur, P.S. - Mohanpur, District- Gaya (informant)

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr. Durgesh Nandan, Advocate
For the State	:	Mr. Dashrath Mehta, APP
For Opposite Party No.2	:	Mr. Manoj Kr. Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 02-04-2025 Heard learned counsels for the parties.

2. The petitioner, husband of the informant/Opposite
Party No. 2, apprehends his arrest in a case registered for the
offence punishable under Sections 498A and 34 of the Indian
Penal Code and Sections 3 and 4 of the Dowry Prohibition Act.

3. Allegation against the petitioner is of matrimonial
cruelty and of demand of dowry.

4. Learned counsel appearing on behalf of the
petitioner submits that the petitioner denies the allegations made
in the F.I.R.. He never committed torture to informant/Opposite
Party No. 2 or demanded any dowry. However, the petitioner



undertakes to give Rs. 3,000/- (three thousand rupees) per month by way of temporary relief/solace, starting from this month, to the informant/Opposite Party No. 2.

5. Learned A.P.P. for the State and learned counsel appearing on behalf of the informant/Opposite Party No. 2 have vehemently opposed the prayer for grant of anticipatory bail to the petitioner.

6. In view of the undertaking of learned counsel for the petitioner that petitioner is ready to give temporary relief/solace of ***Rs. 3,000/- (three thousand rupees) per month to informant/Opposite Party No. 2***, in the event of arrest/surrender within a period of eight weeks from today, let the petitioner, above-named, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Sherghati, Gaya in connection with Barachatti (Mohanpur) P.S. Case No. 968 of 2023, subject to condition as laid down under Section 482(2) of B.N.S.S. with further following conditions:

“(A.) Informant/Opposite Party No. 2 would file an affidavit before the court below and bring on record her saving bank account number for its communication to the petitioner.

(B.) Petitioner would deposit the aforesaid



amount per month in the saving bank account of the informant/Opposite Party No. 2 .

(C.) In case, the petitioner fails to deposit the aforesaid amount for two consecutive months, the court below would be at liberty to cancel the bail bond.

(D.) The aforementioned payment will be subject to any order passed in matrimonial, maintenance or connected proceedings. The present order, in no way, will preclude the parties to resolve the issue otherwise.”

(Prabhat Kumar Singh, J)

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