

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21769 of 2015

Arising Out of PS.Case No. -24 Year- 2014 Thana -ROHTAS COMPLAINT CASE District-
SASARAM (ROHTAS)

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1. Shashi Shankar Gupta @ Pawan Son of Dharmendra Gupta resident of
village - Torni, P.S. Kargahar (Sidhi), District – Rohtas.

.... Petitioner/s

Versus

1. The State of Bihar

2. Sonali Devi, Wife of Shashi Shankar Gupta @ Pawan, daughter of Late
Yamuna Prasad at Present residing at village + P.O. + P.S. Dinara, District
– Rohtas.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sada Nand Ray

For the Opposite Party/s : Mr. Shailendra Kumar Singh (App)

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL
ORAL ORDER

2 08-07-2015 Heard the Counsel for the petitioner and the counsel for the
complainant.

Petitioner being the husband of the complainant is facing
accusation punishable under section 498A IPC arising out of a
complaint.

Allegation is that on account of non-fulfillment of demand
of dowry, she was tortured and ousted from the house. It has been
stated that the petitioner has filed a restitution petition in the
Family Court. The learned Principal Judge also made an attempt to
reconcile the dispute which, however, failed. Petitioner being
responsible husband is ready to pay certain amount as interim
maintenance subject to any order which the Court below will pass
in the proceeding for maintenance.

Considering the above, I direct the petitioner to pay as

interim maintenance to O.P. No. 2 in the sum of Rs. 1500/- regularly either by depositing in the Nazarat, which will be withdrawn by the complainant, or by crediting the amount regularly in the bank account of the complainant which should be provided to the petitioner. As a token amount, the petitioner will produce demand draft favouring the complainant in the sum of Rs. 4500/- as interim maintenance for the month of July, August, and September, 2015 and/or deposit the same and produce the receipt before the Court below along with the bail bonds.

In the event of arrest or surrender in the Court below within four weeks, the petitioner abovenamed is directed to be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of S.D.J.M., Sasaram, Rohtas in Complaint Case No. 24 of 2014 subject to the condition as laid down under Section 438(2) of the Cr.P.C. with further condition that one of the bailers shall be the own/close family members of the petitioner.

(ii) If the petitioner defaults in paying the interim amount as noted hereinabove, the complainant shall have liberty to seek cancellation of bail.

(Kishore Kumar Mandal, J)

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