

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 33913 of 2014

Arising out of P. S. Case No. - 62 Year - 2014 Thana - KAMTAUL District - DARBHANGA

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Upendra Kumar Gupta, Son of Late Bisheshwar Sah, Resident of village –
Kamtaul, P.O. & P.S. – Kamtaul, District – Darbhanga (Bihar)

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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CORAM: HONOURABLE MR. JUSTICE GOPAL PRASAD
ORAL ORDER

4 20-04-2015

Heard learned counsel for the petitioner and

learned counsel for the State.

This is a petition for grant of anticipatory bail in a

case under Section 498A, 341, 323 and 504 of the Indian

Penal Code.

There is allegation of demand of dowry and on

non-fulfilment of the same, subjecting to cruelty. The

petitioner is the husband of the informant.

It is alleged that the informant is living with her

three children in a rental house and is earning her livelihood

by doing work of labourer and maintaining her children. The

husband of the informant does not maintain either the

informant or her children.

Learned counsel for the petitioner submits that the

petitioner is ready to keep the complainant with due dignity

and honour.

Hence, having regard to the facts and circumstances of the case, the petitioner, above named, is directed to be released on anticipatory bail in the event of his arrest or surrender within a period of four weeks from the date of receipt/production of a copy of this order on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Darbhanga in connection with Kamtaul P.S. Case No. 62 of 2014, subject to the conditions as laid down under Section 438(2) of the Cr. P. C. as well as the petitioner shall pay maintenance worth Rs.2,000/- per month till any higher maintenance is fixed by the competent Court. Further if the informant files petition under the Domestic Violence Act then the trial Court shall dispose of the same within a period of six weeks and the trial court shall persuade the parties for a compromise between them.

With this observation, this petition is disposed of.

(Gopal Prasad, J.)

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