

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.41123 of 2013

Arising Out of PS.Case No. -149 Year- 2012 Thana -MADHUBANI TOWN District-
MADHUBANI

Shyam Sundar Jha, Son of Shri Yogendra Jha, Resident of Village -
Brahmapura, Police Station - Phulparas, District - Madhubani

..... Petitioner/s

Versus

1. The State of Bihar

2. Rakhee Jha D/O Shri Rup Narayan Jha, Resident Of Village - Janki
Nagar, Mangrauni Road, P.S. - Rahika, District - Madhubani

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Hemant Kumar Jha

For the State : Mr. Bhanu Pratap Singh, APP

For Opp. Party no.2 : Mr. Manoj Kumar Jha

CORAM: HONOURABLE THE CHIEF JUSTICE

ORAL ORDER

4 25-06-2015

This application under Section 438 CrPC is filed with a prayer to grant anticipatory bail to the petitioner in relation to Madhubani (Town) PS Case No. 149 of 2012 corresponding to GR No.1032 of 2012 for offences punishable under Sections 323, 307, 379 and 498A of the Indian Penal Code read with Section 3 /4 of the Dowry Prohibition Act.

Heard learned counsel for the petitioner and the learned Addl. Public Prosecutor.

The record discloses that on 30th January 2014, this Court passed an order granting provisional anticipatory bail to the

petitioner subject to the condition that the petitioner shall deposit a sum of Rs.750/- per month in the court below and the wife of the petitioner/complainant was permitted to withdraw the same. It is brought to the notice of this Court that during the pendency of this case, the Principal Judge, Family Court, Madhubani passed an order on 7.5.2015 in M R No.200 of 2012, fixing the maintenance of Rs.10,000/- (ten thousand) per month.

Hence, this petition is disposed of with a direction that the provisional anticipatory bail granted earlier to the petitioner by this Court shall be treated as regular anticipatory bail subject to the condition that the petitioner shall deposit the amount of maintenance ordered by the Family Court, Madhubani.

If the amount is modified in any subsequent proceedings, the petitioner shall be liable to pay the same. In default, the anticipatory bail shall stand cancelled.

(L. Narasimha Reddy,CJ)

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