

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12286 of 2019

Arising Out of PS. Case No.-681 Year-2017 Thana- PURNIA COMPLAINT CASE District-
Purnia

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MANOJ KUMAR JHA Son of Late Bisheshwar Jha Resident of Village Ram
Mohani Chauk, Purani Hat Gulabbagh P.S.- Sadar District- Purnea

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Shobha Devi Daughter of Sri Prem Kant Jha Resident of Village- Teghra,
P.S.- Dagarua, District- Purnea

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ajit Kumar Singh

For the Opposite Party/s : Mr.Lalan Kumar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 17-09-2019 This application, for grant of anticipatory bail,

arises out of Complaint Case No. 681/2017, disclosing offences

under Sections 498A, 325, 379 of the Indian Penal Code and

Section 4 of the Dowry Prohibition Act.

Petitioner happens to be husband of the complainant

and allegation against the petitioner is of subjecting the

complainant to cruelty and torture with respect to non fulfilment

of demand of dowry.

It appears that on appearance of opposite party no. 2,

the matter was referred to Patna High Court Mediation and

Conciliation Center, Patna and the report of learned Mediator is

available on record, from which, it appears that despite



issuance of notice to opposite party no. 2, she failed to appear before the Mediation Committee on 11.07.2019, 30.07.2019 and 16.08.2019 and under aforesaid circumstances, mediation between the parties failed.

Submission of learned counsel for the petitioner is that entire allegation is false and concocted and he is still ready to keep the complainant with full honour and dignity.

Heard learned A.P.P. as well as learned counsel for the complainant. Learned counsel for the complainant submitted that petitioner used to assault her as well as her children and as such, she has apprehension in living with the petitioner and before the court below also she has stated that petitioner after taking toddy beats her.

In such view of the matter, this application is disposed of with direction to the petitioner to surrender in the court below within two weeks from the date of receipt of this order, on which, the court below on condition that petitioner will pay Rs. 2,000/- to complainant towards her maintenance as well as the maintenance of her children for a period of one year, in the meantime, it is expected that opposite party no. 2 shall move before the learned Family Court, Purnea for grant of maintenance and the petitioner on personal service of notice,



will appear in the maintenance case and abide by any order either interim or final passed in the said maintenance case till the same is modified or set aside by any higher court, shall release the petitioner on bail on furnishing bail bonds of Rs. 25,000/- (Rs. Twenty Five Thousand) with two sureties of like amount each to his own satisfaction in connection with Complaint Case No. 681/2017, subject to the condition as laid down under Section 438(2) Cr.P.C.

(Vinod Kumar Sinha, J)

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