

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24792 of 2019**

Arising Out of PS. Case No.-554 Year-2018 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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ASHOK KUMAR S/o of Chandreshwar Sah Resident of Village- Bazidpur
Koderia, P.S.- Kurhani, Dist- Muzaffarpur,

... .. Petitioner

Versus

1. The State of Bihar Bihar
2. Manju Devi W/o Ashok Kumar Resident of Village - Bazidpur Koderia, P.s.-
Kurahni, Dist- Muzaffarpur,

... .. Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Saroj Kumar Sharma
For the Opposite Party/s : Mr. Mukesh Kumar Singh

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**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

5 14-11-2019 Heard learned counsel for the petitioner and the
learned counsel for the O.P. No.2.

The petitioner apprehends his arrest in a case registered for the offences punishable under Section 498-A of the Indian Penal Code and Section 3/4 D.P. Act.

Petitioner who happens to be husband of the complainant is said to have tormented the complainant over dowry demand and finally drove her out of her marital house snatching her belongings in association of his family members.

Learned counsel for the petitioner submitted that no



such occurrence as alleged ever took place. The petitioner has been falsely implicated in this case. He neither demanded any dowry from complainant nor tortured her nor drove her out of her marital house. The allegation levelled against the appellant is not specific rather general and omnibus in nature. Albeit Reconciliation between the parties stood failed before the Patna High Court Mediation Centre but petitioner is ready to pay Rs.8000/- per month to the complainant as maintenance allowance, hence, he may be enlarged on anticipatory bail.

On the other hand, learned counsel for the O.P. No.2 raised no objection in granting anticipatory bail to the petitioner in case of giving aforesaid maintenance to the complainant by him.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge, East Champaran at Motihari in connection with Complaint Case No. C554 of 2018, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. with a direction that the petitioner



shall make payment of the maintenance to the tune of Rs.8000/- per month to the O.P. No.2 by depositing the same in the account of O.P. No.2 and in case of default in payment for two consecutive months, learned court below shall be at liberty to cancel the bail bond of the petitioner.

O.P. No.2 is directed to furnish the bank account number to the petitioner to enable him to deposit the maintenance allowance in it.

This order of maintenance will subject to the order passed by the learned court below in maintenance case filed by the complainant.

(Prakash Chandra Jaiswal, J)

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