

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18472 of 2019

Arising Out of PS. Case No.-601 Year-2018 Thana- COMPLAINT CASE District- Araria

Sumit Kumar Mandal @ Sumit Mandal, Son of Giranand Mandal, Resident of Village- Gidhwas Ward No. 6-, P.S.- Raniganj, District- Araria.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sunita Devi Daughter of Rupchand Mandal and alleged to be wife of Sumit Mandal Resident of Village- Gidhwas Ward No. 6, P.S.- Raniganj, District- Araria.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sarangdhar Jha, Advocate
For the Opposite Party/s : Mr. Narendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

6 19-07-2019 This is an application for grant of anticipatory bail in connection with Complaint Case No. 601-C of 2018, disclosing offences under Section 498A of the Indian Penal Code and Section 4 of Dowry Prohibition Act.

Allegation against the petitioner is of demand of Rs.2,00,000/- and for that, assaulted her and ousted her from the house during the pregnancy stage.

Submission of learned counsel for the petitioner is that the whole allegation is false and concocted. No such demand was ever made by the petitioner, rather petitioner challenged the factum of marriage.

On the other hand, learned counsel for the opposite



party no.2 has appeared and opposed the prayer for anticipatory bail on the ground that before the court below no such submission has been made of challenging the factum of marriage and up till now not a single penny has been paid to her by the petitioner.

Having heard both sides, in view of the facts and circumstances, as stated above, let the petitioner, above named, surrender before the learned court below on 30.07.2019 and on surrender, he will be released on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount to the satisfaction of learned S.D.J.M., Araria, in connection with Complaint Case No.601-C of 2018, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure with condition that he has to pay Rs.2500/- per month to the opposite party no.2 till any order either interim or final is passed in Maintenance Case No.179 M of 2018 filed by the opposite party no.2 before the learned Family Court.

It is also made clear that on failure to make payment of maintenance continuously for three months, the opposite party no.2 is at liberty to move for cancellation of bail bonds of the petitioner before the court below itself.



With the aforesaid observations, this application is
disposed of.

(Vinod Kumar Sinha, J)

Sunil Shukla/-

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