

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20098 of 2019

Arising Out of PS. Case No.-639 Year-2018 Thana- COMPLAINT CASE District- Araria

Amar Kumar Bishwas @ Amar Kumar Son of Veyas Dev Bishwas Resident
of Village - Baurel, P.S.- Mahalgaon, Distt.- Araria.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Khushbu Devi @ Krishna Devi Wife of Amar Kumar Bishwas @ Amar Kumar , D/o Late Bhola Prasad bishwas, Resident of Village - Tekni, P.S.- Mahalgaon, Distt.- Araria.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Naushad Uzzoha
For the Opposite Party/s : Mr. Choubey Jawahar

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 17-05-2019 This is an application for grant of anticipatory bail in connection with Complaint Case No. 639C of 2018, disclosing offences under Section 498(A) of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

Allegation against the petitioner is of subjecting his wife to cruelty and harassment with respect to demand of two lacs rupees and a motorcycle.

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

Heard learned counsel for the opposite party no.2, who has opposed the prayer for anticipatory bail of the



petitioner on the ground that earlier in the maintenance case interim maintenance of Rs.4,000/- was allowed vide order dated 03.11.2018 in Maintenance Case No. M185 of 2018 by the Family Court, Araria, but not a single penny has been paid to opposite party no.2, who has also a minor daughter.

Having heard both sides, considering the facts and circumstances of the case, this application is disposed of with a direction to the petitioner to appear before the court below on 04.06.2019 and file a petition that he is still ready to keep the opposite party no.2 with full dignity and care and take her from the court below itself and further that he will pay 50% of the dues amount to the opposite party no.2 within a period of two months and on that date, the opposite party no.2 shall also remain present before the court below and on filing such an application, the provisional bail of the petitioner shall be extended for a period of six months to his own satisfaction and within that period, the learned court below shall watch the conduct of both the parties by calling them in the first week of each month and also as to whether the 50% of the dues amount of the maintenance amount, which was dues against the petitioner has been paid or not, and once the learned court below is satisfied with the conduct of petitioner and dues amount has



been paid, he shall confirm the provisional bail granted to the petitioner vide order dated 04.04.2019, otherwise, he is free to pass any order or orders as he deems fit and proper and including cancellation of bail bonds of the petitioner.

Accordingly, this application is disposed of.

(Vinod Kumar Sinha, J)

Amjad/-

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