

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25594 of 2019

Arising Out of PS. Case No.-1850 Year-2016 Thana- WEST CHAMPARAN COMPLAINT
District- West Champaran

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Maksudan Singh @ Madhusudan Kumar @ Madhusudan Kumar Singh, S/o
Late Lal Bahadur Singh, Resident of Village- Mishraulia Sikatiya, P.S-
Govindganj, District- East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Pratima Devi, Wife of Madhusudan Singh @ Madhusudan Kumar Singh,
D/o Babulal Singh, Resident of Village-Shivrajpur, P.S-Nautan, District-
West Champaran.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Gauri Shankar Thakur, Advocate
For the Opposite Party/s : Mr.Sharda Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

- 3 03-07-2019 This is an application for grant of anticipatory bail in

connection with Trial No. 1229 of 2018, arising out of

Complaint Case No. 1850 of 2016, disclosing offence under

Section 498A of the Indian Penal Code and Section 3/4 of Dowry

Prohibition Act.

Allegation against the petitioner is of assault to the
opposite party no.2/complainant for demand of Hero Honda
Motorcycle and a Panchayati was also held at the instance of the
complainant, but still the petitioner continues to assault her and
ousted her from the house. It is also stated that petitioner
married with the daughter of Bikrama Singh.



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

Heard learned APP as well as learned counsel appearing on behalf of the opposite party no.2 also, who opposed the prayer for anticipatory bail on the ground that petitioner has already married with another lady. She was subjected with cruelty and harassment and as such, she is not ready to reside with him and she has not been paid any single penny by the petitioner and as such, she is facing hardship.

Having heard both sides, in such view of the facts and circumstances, as stated above, this application is disposed of with the direction that the petitioner, above named, surrender before the learned court below by 12.07.2019 and on the condition that he shall pay Rs.3000/- per month to the opposite party no.2 for a period of one year, by which time, it is expected that the opposite party no.2 shall file a maintenance case before the Family Court of the local jurisdiction, in which the petitioner has to co-operate in disposal and he shall abide by any order either final or interim passed by the family court, the petitioner shall 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. Bettiah, West Champaran, in connection with Trial No. 1229 of 2018, arising out of Complaint Case No. 1850 of 2016, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure.

With the aforesaid observations, this application is disposed of.

(Vinod Kumar Sinha, J)

Sunil Shukla/-

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