

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28260 of 2019

Arising Out of PS. Case No.-796 Year-2017 Thana- VAISALI COMPLAINT CASE District-
Vaishali

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Vikash Poddar, aged about 35 years, son of Sadhusharan Poddar, resident of
Village- Lakhnipur Maudha, P.S.- Patepur, District- Vaishali at Hajipur.

... .. Petitioner

Versus

1. The State of Bihar
2. Nitu Kumari, Wife of Vikash Poddar, Daughter of Rajendra Poddar,
Resident of Village- Russalpur, P.S.- Jandaha, District- Vaishali.

... .. Opposite Parties

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Appearance :

For the Petitioner/s : Mr.Anish Chandra

For the Opposite Party/s : Mr.Bal Mukund Prasad Sinha

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL ORDER

2 30-04-2019 Heard learned counsel for the petitioner and

learned counsel for the State.

In this case, the petitioner is seeking anticipatory
bail in connection with Complaint Case No. 796 of 2017,
registered for the offence under Section 498(A), 379 and 323 of
the Indian Penal Code.

Learned counsel for the petitioner submits that
apart from the present complaint case the opposite party no.2
has also lodged an F.I.R. against the petitioner being Patepur
P.S. Case No. 76 of 2017, registered for the offence under
Section 341, 323, 324, 307, 498(A), 354, 379, 504 and 506/34
of the Indian Penal Code read with Section 3/4 of the Dowry



Prohibition Act. The Court below has tried his best to strike a compromise between the parties, ultimately granted bail to the petitioner with a condition that he will pay Rs.3000/- per month to the opposite party no.2 by way of maintenance, which the petitioner is giving her on every month and it is the second case for the same allegation.

Looking to the aforesaid facts, let the above-named petitioner be released on anticipatory 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 bonds of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of the S.D.J.M., Hajipur, Vaishali, in connection with Complaint Case no. 796 of 2017, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure. It is made clear that if the petitioner would failed to make payment of maintenance as per the order of the Court below, in such circumstance, this order will be treated to have been cancelled.

(Shivaji Pandey, J)

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