

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80744 of 2018

Arising Out of PS. Case No.-336 Year-2016 Thana- NAWADAH COMPLAINT CASE
District- Nawada

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Dharmendra Mahto S/O Janki Mahto, R/o Village- Gajodih, P.s. - Govindpur,
Distt.- Nawada.

... .. Petitioner/s

Versus

1. Aarti Devi W/o Dharmendra Mahto, S/o Janki Mahto, R/o Village- Gajodih,
P.S. - Govindpur, Distt.- Nawada at Present R/o Village- Dona, P.S. - Hasua,
Distt.- Nawada
2. The state of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rina Sinha
For the Opposite Party/s : Mr.Sri Abhay Kumar Roy

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 16-04-2019 This is an application for grant of anticipatory bail in
connection with Complaint Case No. 336 of 2016, disclosing
offences under Section 498(A) of the Indian Penal Code and Section
4 of the Dowry Prohibition Act.

Allegation against the petitioner is of subjecting his wife
to cruelty and not providing the maintenance to her and one daughter
of the complainant died in want to medicine and food and she was
also assaulted and demanded Rs.50,000/-.

Submission of learned counsel for the petitioner is that he
is still ready to keep her.

On the other hand, learned counsel for the complainant
has submitted that in the situation in which, the daughter of the
complainant died and she was being treated with cruelty, she is not



ready to reside along with the petitioner and the petitioner is not paying a single penny to her, though he is working as labourer in Surat.

Having heard both sides, in view of the facts and circumstances of the case as stated above, let petitioner, above named, surrender before the court below within a period of six weeks from the date of receipt of the order 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 each to the satisfaction of learned S.D.J.M., Nawada, in connection with Complaint Case No. 336 of 2016, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure.

This is further subject to the condition that he has to pay Rs.3,000/- per month to the complainant for a period of one year and it is expected that during that period, the complainant may file a maintenance case before the Family Court for her maintenance and the petitioner shall cooperate in the said maintenance case.

It is needless to say that the aforesaid amount of Rs.3000/- will be subject to the result of the maintenance case, if any filed by the complainant.

(Vinod Kumar Sinha, J)

Amjad/-

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