

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4019 of 2019

Arising Out of PS. Case No.-5084 Year-2017 Thana- PATNA COMPLAINT CASE District-
Patna

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Rakesh Kant Verma, son of Late Shyama Kant Verma, Resident of
village/Mohalla, Pandriwa Gali, Guzzari Bazar, P.O and P.s khajakala,
District-Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Anita Verma, S/o Rakesh Kant Verma, Resident of Mohalla-Pandriwa, Gali
Kajakal District-Patna, D/O Jai Prakash Narain , Mohala-Tarkeshwar Path,
Chiraiyatar, P.S Kankarbagh, District-Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sandeep Patil, Advocate
For the Opposite Party/s : Mr. Pancha Nand Pandit, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

10 08-11-2019 This is an application for grant of anticipatory bail in

connection with Complaint Case No. 5084C of 2017, disclosing

offences under Section 498A of IPC and Section 3/4 of Dowry

Prohibition Act.

As per F.I.R. allegation against the petitioner is of

demand of Rs.5,00,000/- and for that, torturing her.

Submission of the learned counsel for the petitioner is

that earlier also a case has been filed, thereafter, after

compromise the petitioner has kept her, but she again fled away

from the house. This false and concocted case has been lodged

against her. After lodging of the matrimonial divorce case,



which is numbered as Matrimonial Case No. 324 of 2017 and the opposite party no.2 is still residing in his house.

Heard learned A.P.P. as well as learned counsel for the informant, who has opposed the prayer for anticipatory bail of the petitioner. Further admitted this fact that she is residing in the house of the petitioner, but petitioner is not maintaining her, rather he has filed a divorce case against the informant.

From perusal of the impugned order, it appears that learned Sessions Judge, has tried for amicable settlement between the parties, but in spite of that both the parties were raising allegation and counter allegation, as such, reconciliation failed.

Having heard both sides, considering the above submissions, this application is disposed of with a direction that if the petitioner is ready to pay Rs.4000/- per month to the opposite party no.2 till any order or maintenance is being passed by any court on any maintenance case filed before the Family Court, let the petitioner, above named, on surrender before the court below within six weeks, 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 Chief Judicial Magistrate, Patna, in connection with Complaint



Case No.5084C of 2017, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure.

It is also made clear that petitioner will not try to disturb the opposite party no.2 while she is residing in his house, rather above matter can be raised by any of the parties before the Family Court, Patna.

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

(Vinod Kumar Sinha, J)

Sunil Shukla/-

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