

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72941 of 2019

Arising Out of PS. Case No.-5033 Year-2018 Thana- PATNA COMPLAINT CASE District-
Patna

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ABHINIT KUMAR @ ABHINIT KUMAR SINGH @ AMIT Son of Late
Uma Kant Singh Resident of - Chauhan House, Muslim Road, Mithapur, P.S.-
Gardanibagh, Distt - Patna.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Archana Kumari Wife of Sri Abhinit Kumar @ Amit, D/o Saryug Resident
of Village - Opposite Sadar Hospital, Deo P.S.- Deo, Distt - Aurangabad
permanent resident of Village - Barhani, P.S.- Deo , Distt - Aurangabad.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vijay Kumar Sinha
For the Opposite Party/s : Mr.Md. Aslam Ansari

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 10-12-2019 Heard the learned counsel for the petitioner and

the learned A.P.P. for the State.

This is an application for grant of anticipatory bail
in connection with Complaint case no. 5033(c) of 2018
registered for the offences punishable under Sections 498A,
323, 504 of Indian Penal Code.

The allegation is regarding the petitioner, who
happens to be the husband of the opposite party no. 2 (wife) and
other family members having harassed and tortured the victim
lady on account of non-fulfilment of the demand for dowry.

The learned counsel for the petitioner submits that



the petitioner has been falsely implicated in the present case, however without going into the merits of the case, as observed by this Court, he is ready and willing to pay a sum of Rs. 5,000/- per month as maintenance to his wife i.e. the opposite party no. 2, till appropriate orders are passed by the learned Family Court.

The learned counsel for the opposite party no 2 submits that the petitioner be directed to pay the aforesaid sum of Rs. 5,000/- per month as maintenance allowance without fail and to that effect, some assurance is required to be given by the petitioner.

Having regard to the facts and circumstances of the case, I deem it fit and appropriate to direct for release of the petitioner on anticipatory bail upon surrender before the learned court of J.M. 1st class, Patna in connection with complaint case no. 5033(c) of 2018, subject to the petitioner furnishing an undertaking to the effect that he would pay a sum of Rs. 5,000/- to his wife i.e. opposite party no. 2, by way of a demand draft in her favour which shall be sent by registered post with A/D on the residential address of her parents and further subject to such conditions as may be deemed fit and proper to be imposed by the learned court below.



The present petition stands disposed off on the
aforesaid terms.

(Mohit Kumar Shah, J)

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