

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1966 of 2019

Arising Out of PS. Case No.-947 Year-2014 Thana- COMPLAINT CASE District- Jamui

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Sharwan Mahton son of Mathura Mahton, Resident of Village - Bahadurpur,
Post Office- Bahramba, Police Station- Sikandra, District- Jamui.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Smt. Khushboo Devi wife of Sharwan Mahton, D/o Bhagwan Mandal Das,
Resident of Village- Sijhauri, Post Office- Sijhauri, Police Station Sikandra,
District- Jamui

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Brajesh Sahay
For the Opposite Party/s : Mr. Rajesh Kumar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 21-02-2019 This is an application for grant of anticipatory bail in connection with Complaint Case No. 947(C) of 2014, disclosing offences under Sections 323, 498(A) of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

Allegation against the petitioner is of subjecting his wife to cruelty and harassment with respect to demand.

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

Heard learned A.P.P. as well as learned counsel for the complainant, they have opposed the prayer for anticipatory bail of the petitioner and drawing my attention towards para no.5 of the impugned order that the petitioner was not ready to compromise the case before the court below and moreover the maintenance



amount of Rs.4,000/- to the complainant and Rs.1,000/- for child has been allowed, but no amount has been given by the petitioner to the complainant.

Having heard both sides, considering the facts and circumstances of the case, this application is disposed of with a direction to the petitioner to surrender before the court below within a period of six weeks from the date of receipt of the order with a bank draft of Rs.1,00,000/- drawn in favour of the complainant and on his surrender, the court below shall release the petitioner on provisional bail for a period of five months to his own satisfaction and during that period the petitioner has to deposit rest of the maintenance amount in 5 equal installments payable on the first week of each month and once the maintenance amount is deposited in favour of the complainant and petitioner undertakes that he will pay the maintenance amount regularly, the court below shall confirm the provisional bail of the petitioner, otherwise, he is free to pass any order or orders as he deems fit and proper.

With the above direction, this application is disposed of.

(Vinod Kumar Sinha, J)

Amjad/-

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