

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23349 of 2020

Arising Out of PS. Case No.-3203 Year-2018 Thana- MUZFFARPUR COMPLAINT CASE
District- Muzaffarpur

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Jitendra Kumar Son of Sri Ravindra Rajak Resident of Mohalla - Amirganj
Dharampur, Ward No- 4, Town, P.S. and District - Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Puja Kumari Wife of Jitendra Kumar Presently residing at her parental home
daughter of Late Ashok Rajak, Resident of Kalyani Kedarnath Road, Bharat
Mata Lane (Near Dipak Cinema) Town, P.S. and District - Muzaffarpur.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Abhay Shankar Singh
For the Opposite Party/s : Mr.A.G.

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 09-10-2020 Heard learned counsel for the petitioner and the

counsel appearing on behalf of the State.

Petitioner being the husband, is apprehending arrest

in connection with Complaint Case No. 3203 of 2018 for the

offence under section 498A of the Indian Penal Code and 4 of

the Dowry Prohibition Act.

Learned counsel for the petitioner submits that

petitioner has no criminal antecedent. He further submits that

the marriage took place on 27.11.2009 and after nine years the

complaint case has been lodged.

Learned counsel submits that the complainant has also

filed petition for maintenance and in terms of the order passed



by the family court the petitioner is paying Rs. 1500/- per month as maintenance to the wife-complainant.

Considering the fact that the petitioner is husband, the Court is inclined to grant anticipatory bail to the petitioner, let the petitioner, named above, in the event of arrest or surrender before the court below within a period of four weeks from the date of communication of this order, be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Twenty five thousand) with two sureties of the like amount each to the satisfaction of learned SDJM, East Muzaffarpur, in connection with Complaint Case No. 3203 of 2018 subject to the condition as laid down under section 438(2) of the Cr.P.C. with further condition that the petitioner has to pay Rs. 3000/- per month as maintenance to the opposite party no.2 until disposal of the matrimonial suit between the petitioner and the complainant.

In the event, the petitioner fails to pay maintenance of Rs. 3000/- per month, the court below shall be at liberty to cancel the bail bonds of the petitioner.

(Anil Kumar Upadhyay, J)

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