

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65151 of 2019**

Arising Out of PS. Case No.-2254 Year-2018 Thana- VAISALI COMPLAINT CASE
District- Vaishali

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ARJUN MAHTO Son of Devilal Mahto Resident of village- Harpur,
Kharauna, Police Station- Vaishali, District- Vaishali.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Shashi Kiran Kumari W/O- Arjun Mahto, Resident of Village- Harpur,
Kharauna, P.S.- Vaishali, District- Vaishali at present residing of D/O Rajgir
mahto, Village- Akhtiyarpur Sehan, P.S.- Goraul (Katahra O.P.) District-
Vaishali.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rabindra Kumar Priyadarshi
For the Opposite Party/s : Mr.Sanjay Kumar Tiwary

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

- 3 05-03-2020 Heard the learned counsel for the petitioner and the

learned APP for the State.

The petitioner apprehends his arrest in connection
with Complaint Case No. 2254 of 2018 for the offence
punishable under Sections 498A, 323, 379/34 of the Indian
Penal Code and Sections 3/4 of Dowry Prohibition Act.

The allegation is regarding the accused persons
including the petitioner herein, who is the husband of the
Opposite Party No.2, having tortured the Opposite Party No.2
on account of non-fulfillment of demand for dowry and had then
tried to kill her, resulting in her taking shelter in parental home.



The learned counsel for the petitioner has submitted that the petitioner is innocent, he has not solemnized marriage with any other girl and he is having a clean antecedent. Nonetheless, it is submitted that the petitioner shall pay a sum of Rs. 5,000/- (Rs. Five thousand) per month by way of maintenance to the opposite Party No.2 for the purposes of seeking the privilege of anticipatory bail.

The learned counsel for the opposite party no. 2 submits that since there is no chance of conciliation at the moment, she would be satisfied with receipt of the maintenance money, however, reserving liberty to exercise her rights in accordance with law

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner, I deem it fit and proper to admit the petitioner to the privilege of anticipatory bail, subject to payment of a sum of Rs. 5000/- per month, as maintenance to the Opposite party no.2 till the time any order is passed, either in the matrimonial proceedings or in the maintenance proceedings, if any, as also subject to the petitioner filing an undertaking before the learned court of Sub-Divisional Judicial Magistrate, Vaishali at Hajipur in connection with Complaint Case No. 2254 of 2018, regarding



regular payment of a sum of Rs. 5,000/- per month as maintenance and submitting a demand draft of Rs. 5,000/- in favour of the opposite party no.2 as also subject to such other conditions as may be deemed fit and proper to be imposed by the learned court below.

The petition stands disposed of on the aforesaid terms.

(Mohit Kumar Shah, J)

Tiwary/-

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