

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64437 of 2019

Arising Out of PS. Case No.-568 Year-2018 Thana- KANTI THARMAL POWER District-
Muzaffarpur

=====

JAI KISHORE SAH Son of Late Harihar Sah Resident of Village - Bangari,
P.S.- Kanti, Panapur O.P., District- Muzaffarpur

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR Bihar
2. Rekha Devi Wife of Jai Kishore Sah, D/O - Shatrughan Sah At present
Resident of Village - Basudeva, P.S.- Saraiya, (Jaitpur O.P.), District-
Muzaffarpur

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Alok Kumar Alok
For the Opposite Party/s : Mr.Indu Kumari Srivastava

=====

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

4 05-03-2020 Heard the learned counsel for the petitioner and the
learned APP for the State.

This is an application for grant of anticipatory bail in
connection with Kanti P.S. Case No. 568 of 2018, registered for
the offence punishable under Sections 494/498A of the Indian
Penal Code.

The allegation is regarding the petitioner having eloped
with another girl whereafter the accused persons including the
petitioner herein, who is the husband of the opposite party no. 2,
had tried to kill the victim girl by pouring kerosene oil and
thereafter, the opposite party no. 2 was compelled to leave her
matrimonial home.

The learned counsel for the petitioner has submitted that



the petitioner is innocent, he has not solemnized marriage with another girl and he is having a clean antecedent. Nonetheless, it is submitted that the petitioner shall pay a sum of Rs. 5,000/- 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. 5,000/- per month as maintenance to the opposite party no. 2 till the time any order is passed in matrimonial proceedings or the maintenance proceedings as also subject to the petitioner filing an undertaking before the learned court of S.D.J.M. (East), Muzaffarpur in connection with Kanti P.S. Case No. 568 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 present petition stands disposed of on the aforesaid terms.

(Mohit Kumar Shah, J)

Ajay/-

U		T	
---	--	---	--

