

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.65213 of 2019**

Arising Out of PS. Case No.-1120 Year-2018 Thana- MUNGER COMPLAINT CASE  
District- Munger

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SUJIT DAS Son of Kailash Das, Resident of Village - Gandhi Tola Indrukh,  
P.S.- Naya Ram Nagar , Dist.- Munger. At Present V.I.P. City C/2 House  
No.15, Sadu (Raipur), Chhatishgarah.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Dipika Kumari D/o Late Ram Balak Ram and W/o Sujit Das Resident of  
Village - Baloipur Near Anand Marg, P.S.- Jamalpur, Dist.- Munger.

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Sanjiv Kumar Singh  
For the Opposite Party/s : Mr.Rabindra Kumar

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**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH**  
**ORAL ORDER**

4      04-03-2020                      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. 1120C of 2018 for the offence  
punishable under Sections 323, 498-A of the Indian Penal Code  
and Section 4 of Dowry Prohibition Act.

The allegation is regarding the accused persons  
including the petitioner herein, who happens to be the husband  
of the Opposite Party No.2, having engaged in cruelty with the  
opposite party no.2 on account of non-fulfillment of demand for  
dowry.

Despite valid service of notice upon the Opposite



Party no.2, the opposite party no.2 has not bothered to appear before this Court. Nonetheless, I have heard the learned counsel for the petitioner, who has submitted that the petitioner has been falsely implicated in the present case, is having a clean antecedent and has got no complicity in the matter. It is further submitted that the petitioner is ready and willing to give a sum of Rs. 5000/- (Rs. Five thousand), per month, as maintenance to the Opposite Party No.2 and her minor children.

Having regard to the facts and circumstances of the case and considering the submissions made by the learned counsel for the petitioner, I deem it fit and proper to direct the petitioner to pay a sum of Rs. 5000/- per month, as maintenance to the Opposite party no.2 till any order is passed, either in the matrimonial proceedings or in the maintenance proceedings, if any. It is further directed that the petitioner shall appear before the learned court of S.D.J.M., Munger in connection with Complaint Case No. 1120C of 2018 within a period of four weeks from today, whereupon he shall furnish an undertaking that he would be paying a sum of Rs. 5,000/- per month as maintenance to the Opposite Party no.2 as also produce a draft of Rs. 5,000/- to be paid to the opposite party no.2, whereupon he shall be admitted to the privilege of anticipatory bail, subject



to such terms and 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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