

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36175 of 2020

Arising Out of PS. Case No.-2417 Year-2018 Thana- MOTIHARI MUFASIL District- East
Champaran

KAJAL DAS SON OF NITAI CHANDRA DAS RESIDENT OF VILLAGE-
RULHI COLONY NO.2 P.S.- MOTIHARI MUFFASIL DISTRICT- EAST
CHAMPARAN

... .. Petitioner/s

Versus

1. The State of Bihar
2. SHIKHA RANI DAS RESIDENT OF VILLAGE- RULHI COLONY NO. 2
P.S.- MOTIHARI MUFFASIL, DISTRICT- EAST CHAMPARAN.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Naresh Chandra Verma
For the Opposite Party/s : Mr. Madan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

5 01-11-2021 Heard learned counsel for the petitioner and learned
counsel for the opposite party No. 2. Learned Additional Public
Prosecutor for the State is also present.

The petitioner apprehends his arrest in connection
with Complaint Case No. C-2417/2018 registered for the
offense punishable under Sections 498-A of the Indian Penal
Code and Section 4 of the Dowry Prohibition Act.

Learned counsel for the petitioner submits that the
petitioner has never demanded dowry and the allegations are
false and baseless. He further submits that petitioner has not
married Vaidna Das.

However, learned counsel appearing on behalf of the



opposite party No. 2 submits that the statement made by the complainant in the complaint petition has been supported by her and the petitioner has remarried.

In the facts and circumstances of the case, learned counsel for the petitioner to show his *bonafide* has himself offered to pay an interim maintenance of Rs. 5,000/- (rupees five thousand only) per month to the complainant/opposite party No. 2, subject to decision of any competent court on the maintenance issue.

Considering the aforesaid facts and circumstances, the present application for grant of anticipatory bail, is allowed, let the petitioner above named be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Sadar Motihari, East Champaran, in connection with Complaint Case No. C-2417/2018, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C, subject to the following conditions:-

1. The petitioner will pay the maintenance amount for November, 2021, will be deposited in the Court below by the



7th of November, 2021 and, thereafter, by the 7th day of every month.

2. The maintenance amount will be paid directly to the opposite party No. 2 in her bank account. The details of the bank account of the opposite party No. 2 will be given to the petitioner by her lawyer to the lawyer of the petitioner.

3. In case, the opposite party No. 2 fails to provide her bank account details, the petitioner will pay the aforesaid maintenance amount through money order and file receipts of the same before the Court below.

4. If the petitioner fails to obey the abovementioned conditions, without any genuine ground, his bail bonds are liable to be cancelled by the Court below.

(Sandeep Kumar, J)

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