

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86858 of 2019

Arising Out of PS. Case No.-7 Year-2018 Thana- SAHARSA COMPLAINT CASE District-
Saharsa

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Devdutt Singh (Male), aged about 35 years, son of Sri Krishna Murari Singh,
Resident of Village - Babura, P.S.- Koilbar Barhara, Distt.- Arrah.

... .. Petitioner

Versus

1. The State of Bihar.
2. Nikky Kumari, aged about 30 years (Female), w/o Devdutt Singh, Daughter of Sudhir Prasad Singh, resident of Village- Golma, P.S.- Saur Bazar, Distt- Saharsa.

... .. Opposite Parties

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Appearance :

For the Petitioner	:	Mr. Anil Kumar Mukund, Advocate Mr. Rekha Kumari (Mukund), Advocate Mr. Anirudh Pandey, Advocate
For the State	:	Mr. Jharkhandi Upadhyay, APP
For Opposite Party No.2 :		Mr. Dinesh Maharaj, Advocate Mr. Satish Kumar Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

4 27-10-2021 Heard learned counsel for the parties.

This application for anticipatory bail arises out of
Complaint Case No. 07 of 2018 for the offence punishable
under Section 498-A of the Indian Penal Code and under
Section 4 of the Dowry Prohibition Act.

It is alleged that the complainant / opposite party
no.2 was tortured and ousted from the matrimonial house by the
petitioner.

Vide order dated 25.10.2021, both the parties were
directed to be present physically before this Court. Today, both



the parties are present. The petitioner has himself accepted that he is working as Collection Executive in Mahindra Finance Limited. He says that his salary is Rs.10,000/- per month, which is being disputed by the opposite party no.2. The opposite party no.2 does not want to stay with him. To show his bonafide, the petitioner has offered to pay the maintenance of Rs.9,000/- per month to the opposite party no.2 before 7th of every month.

In view of the aforesaid, this application is allowed. Let the petitioner, above named, in the event of his arrest/surrender within four weeks from today in the Court below, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Saharsa, in connection with Complaint Case No. 07 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall pay maintenance of Rs.9,000/- per month to the opposite party no.2 before 7th of every month. The payment should be made to the opposite party no.2 in the Bank account opened by her, which will be shared by opposite party no.2 to the learned counsel appearing on behalf of the petitioner in the Court below.



The petitioner shall pay the maintenance amount for the month of October, 2021 by 7th November, 2021. In case the petitioner fails to make payment of monthly maintenance, as indicated above, his bail bonds will be cancelled by the Court below.

It has been informed that opposite party no.2 has filed a Maintenance Case vide Miscellaneous Case No.40 of 2019, which is pending in the Court of learned Principal Judge, Family Court, Saharsa.

It is clarified that this maintenance amount is subject to the order passed by the Principal Judge, Family Court, Saharsa. The Principal Judge, Family Court, Saharsa, is directed to decide the maintenance case within three months from today and send the compliance report to this Court.

(Sandeep Kumar, J)

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