

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1894 of 2022

Arising Out of PS. Case No.-155 Year-2021 Thana- RASULPUR District- Saran

RAJ KUMAR BHARTI S/O CHANDRASHEKHAR BHARTI R/o village-
Siwari ke Mathiya (Saraw), P.S.- Rasulpur, District- Saran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Anita Yati W/o Raj Kumar Bharti, D/o Yogendra Yati R/o village- Tali Virani, P.S.- Bankata, at present R/o Gorakhpur Sanik Kunj, Nanda Nagar, P.S.- Nanda Nagar, District- Gorakhpur (U.P.)

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anant Kumar Bhaskar
For the Opposite Party/s : Mr.A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 26-07-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Rasalpur P.S. Case no. 155/21 instituted for the offence under Sections 341, 323, 498(A) of the Indian Penal Code.

As per allegation in the FIR, due to non-fulfillment of dowry demand of a four wheeler, petitioner along with other family members started to abuse and torture the informant mentally and physically.

It is submitted by learned counsel for the petitioner that petitioner is husband of the informant and he is ready to



keep the informant as wife with full dignity and honour.

The aforesaid offer of the petitioner has not been accepted by the informant who denies to go to her matrimonial house and live with her husband. However, she prays for some maintenance for her survival as she is a housewife and she is not able to maintain herself .

In the alternative, learned counsel appearing on behalf of the petitioner, on instructions, submits that petitioner is ready to give Rupee four thousand per month from this month, subject to furnishing bank account number by the informant to the petitioner.

In the changed circumstance, learned counsel for the informant admits that he shall provide bank account number of the informant to the petitioner within a period of one week from today. On receipt of the bank account number of the informant, the petitioner shall deposit Rs. 4,000/- (Four Thousand) in first week of every month commencing from July as maintenance in the account furnished by the informant.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of



four weeks from today and in the event of his arrest or surrender in connection with Rasalpur P.S. Case no. 155/21, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge XIII Saran At Chapra subject to the conditions as laid down under section 438(2) of the Cr.P.C.

The bail bonds of the petitioner shall be accepted by the learned court below on showing receipt of deposit of Rs. 4,000/- (for the month of July) by the petitioner in the account of the informant.

The aforesaid payment will be subject to any order passed in the maintenance case for final settlement.

(Sunil Kumar Panwar, J)

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