

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13425 of 2021**

Arising Out of PS. Case No.-20 Year-2020 Thana- MAHILA P.S. District- Banka

ABHISHEK KUMAR SINGH S/O LATE FANIBHUSHAN SINGH R/O
BASANT VIHAR COLONY NEAR I.T.C. P.O.-BASUDEOPUR, O.P.
BASUDEOPUR, P.S-KOTWALI, DISTRICT-MUNGER

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. RAKHI KUMARI W/O ABHISHEK KUMAR SINGH, D/O
VIVEKANAND SINGH R/O VILLAGE GARHI RATA, P.S-BELHAR
(KHESAR), DISTRICT-BANKA

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shambhu Sharan Singh
For the Opposite Party/s : Mr. APP

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

7 05-07-2022 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 Mahila P.S. Case No. 20 of 2020 instituted for the offence
under Sections 498(A)/34 of the Indian Penal Code and Section
3/4 of the Dowry Prohibition Act.

As per allegation in the FIR, due to non-fulfillment of
a bullet motorcycle, petitioner along with other family members
started to abuse and torture the informant mentally and
physically and finally they ousted her from her matrimonial
house.



It is submitted by learned counsel for the petitioner that petitioner is husband of the informant. A Sanha dated 3.2.2019 filed by this petitioner before the CJM, Munger followed by a complaint case by this petitioner and thereafter the present case has been filed by the informant against her husband.

Learned counsel for the informant has argued on the point of maintenance for survival of the informant 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 seven 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. 7,000/- (Seven 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



considering the submissions made on behalf of the petitioner, this Court is inclined to enlarge him on bail. The petitioner, above named, in the event of his arrest or surrender before learned Court below within a period of four weeks from today, shall be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/-(Ten Thousands) with two sureties of the like amount each to the satisfaction of learned SDJM, Banka in connection with Mahila P.S. No. 20 of 2020, 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. 7,000/- (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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