

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3389 of 2022

Arising Out of PS. Case No.-40 Year-2021 Thana- MAHILA P.S. District- Lakhisarai

Chandan Kumar @ Chandan Kumar Mahto S/O Ganesh Mahto R/O Village-
Jakarpura, P.S.- Suryagadha, District- Lakhisarai

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Rekha Devi W/o Chandan Kumar @ Chandan Kumar Mahto R/o village-
Jakarpura, P.S.- Suryagadha, District- Lakhisarai

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binay Kumar

For the Opposite Party/s : Mr.Anand Kishore Choudhary

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 01-08-2022 Heard learned counsel for the petitioner,

informant and learned APP for the State.

The petitioner is apprehending his arrest in a

case registered for the offences punishable under

Sections 341, 323, 498(A), 494/34 of the Indian Penal

Code.

The accusations are of torture, making assault,

performing second marriage and ousting the informant

from her matrimonial house for non-fulfillment of dowry

demand.

It is submitted by learned counsel for the



petitioner that the petitioner tried his best to resume the conjugal life with the informant but she did not agree to live with the petitioner. The petitioner is still ready to keep the informant as wife with full dignity and honour. The petitioner has also filed Matrimonial Case No. 80 of 2019 for restitution of conjugal life.

Learned counsel appearing on behalf of the informant has submitted that torture has been inflicted upon the informant for non-fulfillment of dowry demand. The informant is residing at her parental house and she is on the verge of starvation since the petitioner denied to maintain the informant.

In the alternative, the petitioner is ready to make payment of Rs. 5,000/- as interim maintenance to the informant before filing of the bail bonds.

The petitioner also undertakes to make payment of Rs. 5,000/- per month to the informant by depositing the same in her bank account by 1st week of every month from August, 2022.



The learned counsel appearing on behalf of the informant has accepted the offer of the petitioner and undertakes to provide bank account details of the informant to the petitioner as early as possible.

Considering the aforestated facts, let the petitioner, above named in the event of his arrest or surrender before the court below within a period of four weeks from today, be released on anticipatory bail 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, Lakhisarai in connection with Mahila P.S. Case No. 40 of 2021, 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. 5,000/- by the petitioner in the account of the informant.

The aforesaid payments will be subject to any



order passed in matrimonial or maintenance proceedings.

(Sunil Kumar Panwar, J)

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