

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17508 of 2021**

Arising Out of PS. Case No.-109 Year-2019 Thana- UJIYARPUR District- Samastipur

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SANJAY DAS Son of Varun Das Resident of Village- Balbhadrapur, P.S.-
Ujiyarpur, District- Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Laxmi Kumari Wife of Sanjay Das Resident of Village- Balbhadrapur, P.S.-
Ujiyarpur, District- Samastipur.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Girish Chandra Jha

For the Opposite Party/s : Mr. APP

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 05-04-2022 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 Ujiyarpur P.S. Case No. 109 of 2019 instituted for the offence under Sections 498A, 341, 323/34 of the Indian Penal Code.

As per allegation in the FIR, petitioner has tortured the informant mentally and physically. It is further alleged that petitioner tried to strangle the informant with electric wire.

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 Rupees six 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. 6,000/- (Six Thousand) in first week of every month commencing from May as maintenance in the account furnished by the informant.

Having heard learned counsel for the parties, this Court is inclined to enlarge the petitioner 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 S.D.J.M., Dalsinghsarai, (Samastipur) in connection with Ujiyarpur P.S. Case No. 109 of 2019, 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. 6,000/- 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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