

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5948 of 2022

Arising Out of PS. Case No.-54 Year-2021 Thana- MAHILA PS District- East Champaran

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Dharamveer Kumar @ Dharveer Kumar @ Dharamvir Sah Son Of Jalim Sah
R/O Village- Mathiya, P.S.- Pakaridayal, District- East Champaran, Motihari

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Poonam Kumari D/O- Shankar Sah Residing At Dhashi Pakar, P.S.-
Chakiya, District- East Champaran, Motihari

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sharda Nand Mishra
For the Opposite Party/s : Mr.Rita Verma

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 29-08-2022 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 498A, 406, 34 of the Indian Penal Code and

Section 3/4 of the Dowry Prohibition Act.

The accusations is of torture and making

assault for non-fulfillment of dowry demand and ousting

the informant from her matrimonial house.



It is submitted by learned counsel for the petitioner that the petitioner tried his best to resume the conjugal life with the informant but the informant did not agree to live with the petitioner. The petitioner is still ready to keep the informant as wife with full dignity and honour.

Learned counsel appearing on behalf of the informant has submitted that petitioner is in habit of making assault to the informant, hence, out of fear of his life, she is not ready to live with the petitioner at present. The informant resides at her parental house and she is at the verge of starvation since petitioner is not maintaining her.

In the alternative, the petitioner is ready to pay Rs. 3,000/- as interim maintenance to the informant before filing of the bail bonds.

The petitioner also undertakes to make payment of Rs. 3,000/- per month to the informant by depositing the same in her bank account by every month



commencing 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 Chief Judicial Magistrate, East Champaran, Motihari in connection with Mahila P.S. Case No. 54 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. 3,000/- 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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