

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9147 of 2022

Arising Out of PS. Case No.-360 Year-2020 Thana- PATNA COMPLAINT CASE District-
Patna

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Mahesh Prasad Chaudhary @ Raju Choudhary Son of Bibhuti Prasad Choudhary Resident of Village Chhoti Badalpura, P.S. Khagaul, District Patna. At present resident of New Police Line (Constable/Driver No.19), Munger.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Pinki Kumari wife of Mahesh Prasad Choudhary, Daughter of Sri Raj Kishore Choudhary R/o Village - Chhoti Badalpura, P.S. - Khagaul, District - Patna, At present residing at Mohalla Old Jakkanpur, Near Durga Mandir, P.S. - Jakkanpur, Town and District - Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr.Sanjiv Sharan, Advocate
For the State	:	Mr.Khurshid Anwar, APP
Mr. Opp. Party No.2	:	Mr. Rabindra Kr. Priyadarshi, Advocate

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

4 18-05-2022 Heard learned counsel for the petitioner; learned APP
for the State and learned counsel for the opposite party no.2.

The petitioner apprehends his arrest in connection with Complaint Case No.360(C)/2020 for offences under Section 498A of the Indian Penal Code.

Learned counsel for the petitioner has submitted that the petitioner has one daughter and one son.

In view of the law laid down by the Apex Court in the case of *Arnesh Kumar V State Of Bihar reported in (2014) 8 SCC 273*, this application for anticipatory bail is also allowed, subject to the condition that the petitioners will pay a sum of Rs.18,000/- per month to the opposite



party no.2 and two children.

Accordingly, let petitioner, above-named, in the event of his arrest or surrender within four weeks from today, be released 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 Judicial Magistrate, 1st Class, Patna in connection with Complaint Case No. 360(C)/2020, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Considering the facts and circumstances of the case, the petitioner is directed to pay maintenance of Rs.18,000/- per month to the opposite party no.2. The aforesaid amount of maintenance shall be credited in the bank account of the opposite party no. 2 by 7th of every month beginning from April, 2022. The opposite party no.2 shall provide her bank account details to the petitioner or his advocate immediately. In failure to pay the aforesaid amount of maintenance to the opposite party no.2, the bail bond of the petitioner shall stand automatically cancelled and he shall be taken into custody forthwith.

(Sandeep Kumar, J)

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