

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6869 of 2022

Arising Out of PS. Case No.-186 Year-2021 Thana- GARKHA District- Saran

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Mukesh Kumar S/O Prabhu Sah R/O Village- Chintamanganj, P.S.- Garkha,
District- Saran, At Present R/O Village- Makama, P.S.- Garkha, District-
Saran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Seema Devi W/o Mukesh Kumar, D/o Sr Bhagwan Sah R/o Village-
Makama, P.S.- Garkha, District- Saran

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gajendra Kumar Singh, Advocate
For the Opposite Party/s : Mr. Gauri Shankar Gupta, APP

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

5 23-11-2022 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,
354(B) and 504 of the Indian Penal Code and Sections 3/4 of the
Dowry Prohibition Act.

The accusation is of making assault 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 the informant herself does not want to live
with the petitioner. The petitioner is still ready to keep the



informant as wife with full dignity and honour. A statement to that effect has been made in para 06 of the petition.

Learned counsel appearing on behalf of the informant has submitted that petitioner is in habit of making assault with the informant. Hence, out of fear of life, she does not want to live with the petitioner.

In the alternative, the petitioner is ready to make payment of Rs. 3,000/- per month to the informant by depositing the same in her bank account by 1st week of every month.

The petitioner undertakes that he shall pay the monthly payment of Rs. 3,000/- of this month i.e. November, 2022 to the informant before filing of the bail bonds and from December, 2022, he shall continue making payment of Rs. 3,000/- per month by 1st week of every month in the bank account of the informant.

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 Judicial Magistrate, Ist Class, Saran at Chapra in connection with Garkha P.S. Case No. 186 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)

Brajesh Kumar/-

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