

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8399 of 2022

Arising Out of PS. Case No.-612 Year-2020 Thana- SIWAN COMPLAINT CASE District-
Siwan

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Prithvi Kumar Gupta @ Prithvi Nath Gupta Son Of Mathura Gupta @
Mathura Sah Resident Of Village - Belwar, P.S.- Raghunathpur, Distt.- Siwan.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Baby Kumar @ Baby Devi D/O Ram Prasad Madhesia, Resident Of Village
- Shivpur Sakra, P.S.- Asaon, Distt.- Siwan.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ajay Kumar Pandey
For the Opposite Party/s : Mr.Shahabuddin Azeem @ S. Azeem

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 12-09-2022 Heard learned counsel for the petitioner,

informant and learned APP for the State.

The petitioner is apprehending his arrest in a

complaint case wherein cognizance has been taken under

Section 498A of the Indian Penal Code.

The accusations is of torture and making

assault for non-fulfillment of dowry demand and ousting

the complainant 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 complainant but the complainant did not agree to live with the petitioner. The petitioner is still ready to keep the complainant as wife with full dignity and honour.

Learned counsel appearing on behalf of the complainant has submitted that petitioner is in habit of making assault to the complainant, hence, out of fear of his life, she is not ready to live with the petitioner at present. The complainant 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. 2,000/- as interim maintenance to the complainant before filing of the bail bonds.

The petitioner also undertakes to make payment of Rs. 2,000/- per month to the complainant by depositing the same in her bank account by every month commencing from September, 2022.



The learned counsel appearing on behalf of the complainant has accepted the offer of the petitioner and undertakes to provide bank account details of the complainant 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, Siwan in connection with Complaint Case No. 612 of 2020, 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. 2,000/- by the petitioner in the account of the complainant.

The aforesaid payments will be subject to any



order passed in matrimonial or maintenance proceedings.

(Sunil Kumar Panwar, J)

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