

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7553 of 2020

Arising Out of PS. Case No.-2414 Year-2017 Thana- KATIHAR COMPLAINT CASE
District- Katihar

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Chand @ Md. Chand Son Of Abdul Ahad Resident Of Mohalla - Sarifganj,
P.S. - Muffassil, District - Katihar.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rashida Parween Wife of Chand @ Md. Chand D/O Abdul Wahid, Resident of Village - Garbeli, Post - Katihar, P.S. - Muffassil, District - Katihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajendra Prasad Sah
For the Opposite Party/s : Mr.Arun Kumar

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

6 24-08-2022 Heard learned counsel for the petitioner,

complainant and learned APP for the State.

The petitioner is apprehending his arrest in a complaint case wherein cognizance has been taken for the offences punishable under Section 498A of the Indian Penal Code.

The accusation is of torture 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 complainant but the complainant



did not agree to live with the petitioner.

Learned counsel appearing on behalf of the complainant has submitted that petitioner is in habit of making assault to the complainant. 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. 5,000/- as interim maintenance to the complainant before filing of the bail bonds.

The petitioner also undertakes to make payment of Rs. 5,000/- per month to the complainant by depositing the same in her bank account by every month commencing from August, 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 aforesaid 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, Katihar in connection with Complaint Case No. 2414 of 2017, 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. 5,000/- 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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