

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9675 of 2022

Arising Out of PS. Case No.-294 Year-2021 Thana- GAYA KOTWALI District- Gaya

Vikash Kumar S/o Anjani Prasad @ Munna Babu Resident of Village-
Tarataand, Ward No.14, Jhumritalaiya, P.O.- Jhumritalaiya, P.S.- Tilaiya,
District- Kodarma (Jharkhand).

... .. Petitioner/s

Versus

1. The State of Bihar
2. Monika Kumari W/o Vikash Kumar, D/o Bhola Prasad Resident of Mohalla-
Gol Bagicha Adda, Kazim Ali Lane Road, P.S.- Kotwali, District- Gaya.

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Krishna Pd. Singh, Sr. Advocate Mr. Bhaskar Shankar, Advocate
For the State	:	Mr. Sanjay Kumar Tiwary, APP
For Opp. Party No.2	:	

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

5 18-05-2022 Heard learned senior counsel for the petitioner;

learned APP for the State and

The petitioner apprehends his arrest in connection
with Kotwali P.S. Case No. 294 of 2021 registered for offences
under Sections 498(A), 323, 308, 504, 506 and 34 of the Indian
Penal Code and Sections 3/4 of the Dowry Prohibition Act.

It has been submitted by learned counsel for the
parties that there is no chance of any settlement between the
parties.

Learned counsel for the petitioner submits that the
petitioner has business of bringing gold whereas the same has



been denied by opposite party no.2 and she says that the petitioner has business of sale and purchase of gold ornaments.

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 allowed, subject to the condition that the petitioner will pay a sum of Rs.15,000/- per month to the opposite party no.2.

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 Chief Judicial Magistrate, Gaya in connection with Kotwali P.S. Case No. 294 of 2021, 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.15,000/- 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 in the court below 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.

This order of maintenance is subject to any order passed by any competent court in maintenance proceeding.

(Sandeep Kumar, J)

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