

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11963 of 2022

Arising Out of PS. Case No.-2264 Year-2019 Thana- COMPLAINT CASE District- Araria

CHANDAN SAH @ CHANDAN KUMAR SAH S/o Gouranath Shah R/o
village- Sukarna Ward No. 06, P.S.- Rauta, District- Purnea

... .. Petitioner/s

Versus

1. The State of Bihar
2. Santoshi Devi D/o Ashwani Kumar Sah, W/o Chandan Sah R/o village-
Urlaha Ward No. 08, P.S.- Palasi, District- Araria

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Rana
For the Opposite Party/s : Mr.Surendra Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 23-11-2022 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

The instant application for anticipatory bail has been
filed by the petitioner apprehending his arrest in connection
with Complaint Case no. 2264C of 2019 instituted for the
offence under Section 498A of the Indian Penal Code.

As per allegation in the FIR, due to non-fulfillment of
dowry demand, petitioner along with other family members
started to abuse and torture her mentally and physically and
ultimately they ousted her from her matrimonial. It is further
alleged that petitioner has solemnized another marriage with
another lady.



It is submitted by learned counsel for the petitioner that petitioner is husband of the informant and he has been falsely implicated in this case.

Learned counsel for the complainant prays for some maintenance for survival of the complainant as she is a housewife and she is not able to maintain herself .

In the alternative, learned counsel appearing on behalf of the petitioner, on instructions, submits that petitioner is ready to give Rupee three thousand per month from this month, subject to furnishing bank account number by the informant to the petitioner.

In the changed circumstance, learned counsel for the informant admits that he shall provide bank account number of the informant to the petitioner within a period of one week from today. On receipt of the bank account number of the informant, the petitioner shall deposit Rs. 3,000/- (Three Thousand) in first week of every month commencing from November, 2022 as maintenance in the account furnished by the informant.

Having heard learned counsel for the parties and considering the submissions made on behalf of the petitioner, this Court is inclined to enlarge him on bail. The petitioner, above named, in the event of his arrest or surrender before



learned Court below within a period of four weeks from today, shall be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/-(Ten Thousands) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1st Class, Araria in connection with **Complaint Case No. 2264C of 2019**, 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/- (for the month of November, 2022) by the petitioner in the account of the informant.

The aforesaid payment will be subject to any order passed in the maintenance case for final settlement.

(Sunil Kumar Panwar, J)

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