

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11906 of 2022

Arising Out of PS. Case No.-498 Year-2019 Thana- SASARAM NAGAR District- Rohtas

Deepak Kumar Son Of Ram Kishundev Singh Present Resident Of Village-
Nawada Chowk, Western Lane, Arrah, P.S.- Nawada, District- Bhojpur,
Permanent R/O Village- Khesarhiyan, P.S.- Koliwar, District- Bhojpur At
Arrah

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ruby Devi D/O- Suresh Singh R/O Village- Nawada, P.S.- Nawada, District-
Bhojpur At Arrah. Parmanent Address R/O Village- Karpurwa, P.S.- Sasaram
(DARIGAON), P.O.- Sasaram, District- Rohtas At Sasaram

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raghunandan Kumar Singh
For the Opposite Party/s : Mr.Kalyan Shankar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 03-11-2022 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
498(A)/34 of the Indian Penal Code and Section 3/4 of the
Dowry Prohibition Act.

The accusations are of torture, making assault and
ousting the informant from her matrimonial house for non-
fulfillment of dowry demand.

It is submitted by learned counsel for the



petitioner that the petitioner being husband of the informant is quite innocent and has committed no offence. He has falsely been implicated in this case as he has filed a case of divorce against the informant. It is further submitted that neither the dowry has been demanded nor she was tortured by the petitioner. It is further submitted that the informant is pressurizing the petitioner to live to his separate house, which seems to be impossible for the petitioner as the petitioner is a hand to mouth person and is working as a labour to the sweet shop of his maternal uncle. It is also submitted that the father of the petitioner went several times to bring back to the informant but she denied. Hence, in the changed circumstances, the petitioner is not ready to life with the informant.

Learned counsel appearing on behalf of the informant has submitted that torture has been inflicted upon the informant. The informant is residing at her parental house and she is not able to maintain herself. Hence, Leaned counsel for the informant prays for some maintenance for survival of the informant.

In the alternative, the petitioner is ready to make



payment of Rs. 3,000/- as interim maintenance to the informant before filing of the bail bonds.

The petitioner also undertakes to make payment of Rs. 3,000/- per month to the informant by depositing the same in her bank account commencing from the month of November, 2022.

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 Sub Divisional Judicial Magistrate, Rohtas in connection with Sasaram (Darigaon) P.S. Case No. 498 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/- 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)

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