

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14227 of 2022**

Arising Out of PS. Case No.-2082 Year-2019 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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BRIJ SAH @ BRIJ KUMAR S/o Satya Narayan Sah Resident of Village-
Math Lohiyar Bhagtaha Tola, P.S.- Harsidhi, District- East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Munni Devi Wife of Brij Sah @ Brij Kumar, D/o Damodar Sah Resident of
Village- Haraj Narulahpur, P.S.- Shikarganj, District- East Champaran.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sangeet Deokuliar

For the Opposite Party/s : Mr.A.G

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 24-11-2022 Heard learned counsel for the petitioner, learned
counsel for the complainant 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. C-2082 of 2019, Trial No. 2502 of
2021 instituted for the offence under Sections 498A of the
Indian Penal Code and Section 3/4 of the Dowry Prohibition
Act.

As per allegation in the FIR, due to non-fulfillment of
dowry demand of Rs. 3.5 lakh, petitioner started to abuse and
torture the complainant mentally and physically and ultimately
he ousted her from her matrimonial home.



It is submitted by learned counsel for the petitioner that petitioner is husband of the complainant 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 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 SDJM, Sadar at Motihari, East Champaran in connection with **Complaint Case No. C2082 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 complainant.

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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