

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12989 of 2020**

Arising Out of PS. Case No.-1036 Year-2018 Thana- VAISALI COMPLAINT CASE
District- Vaishali

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Dilip Thakur @ Dilip Kumar Son Of Surya Dev Thakur Resident Of Village-
Chakvajo Malahi, Police Station - Jandaha In The District Of Vaishali.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Guriya Kumari @ Guriya Devi Daughter of Arbind Thakur Resident of
village - Gopalpur Chaknai, Police Station - Bidupur, District - Vaishali.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ranjeet Kumar
For the Opposite Party/s : Mr.Parmanand Prasad

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

6 07-11-2022 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 Sections 498(A), 34 of
the Indian Penal Code.

The accusations are of torture, making assault
for non-fulfillment of dowry demand and ousting the



complainant from her matrimonial house.

It is submitted by learned counsel for the petitioner that complainant is deaf and dumb lady and she has already performed marriage with one Ranjeet Kumar before being married with the petitioner and this fact has not been disclosed on behalf of the complainant before marrying with the petitioner. The petitioner is still ready to keep the complainant as wife with full dignity and honour.

Learned counsel appearing on behalf of the complainant has submitted that torture has been inflicted upon the complainant. The complainant is residing at her parents' house and she is at the verge of starvation since the petitioner is not maintaining her.

In the alternative, the petitioner is ready to make payment of Rs. 4,000/- as interim maintenance to the complainant before filing of the bail bonds.

The petitioner also undertakes to make payment of Rs. 4,000/- per month to the complainant by



depositing the same in her bank account commencing from the month of November, 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 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, Vaishali at Hajipur in connection with Complaint Case No. 1036 of 2018, 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. 4,000/- 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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