

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.25405 of 2021

Arising Out of PS. Case No.-217 Year-2020 Thana- GAYA MUFASIL District- Gaya

Chandan Kumar @ Chandan Kumar Paswan Son of Late Mahendra Paswan
Resident of Village - Raja Kothi, P.S.- Delha, Distt.- Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Punam Kumari, D/o Kanhai Paswan, R/o Mohalla Gorakshni, P.S.
Muffasil, District Gaya

... .. Opposite Party/s

Appearance :

For the Petitioner : Mr. Rabindra Kumar Priyadarshi, Advocate
For the State : Ms. Gulnar Begum, APP
For Opp. Party No.2 : Mr. Ajit Ranjan Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 08-03-2022 Heard learned counsel for the petitioner; learned APP
for the State and learned counsel for the opposite party no.2.

The petitioner apprehends his arrest in connection
with Muffasil (Gaya) P.S. Case No. 217 of 2020 registered for
offences under Sections 498A/34 of the Indian Penal Code and
Sections 3/4 of the Dowry Prohibition Act.

At the very outset, learned counsel for the petitioner
has offered to pay maintenance amount of Rs. 7,000/- (Rupees
Seven Thousand) per month to the informant.

It has been submitted by learned counsel for the
opposite party no.2 that opposite party no.2 is ready to prefer



the application for setting aside ex parte decree dated 16.07.2017 passed by learned 4th Civil Judge, Senior Division, Akola in HMP No. 223 of 2016.

Considered the submission of the parties.

In view of the fact that this is a case triable by the magistrate and considering the law laid down by the Apex Court in the case of *Arnesh Kumar Vs. State of Bihar* reported in (2014) 8 SCC 273, the application for anticipatory bail is allowed.

Accordingly, let the petitioner above named be released on bail, in the event of his arrest or surrender before the court below within a period of ten weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gaya in connection with Muffasil (Gaya) P.S. Case No. 217 of 2020, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

The amount of Rupees Seven Thousand shall be transferred by the petitioner in the bank account of the opposite party no.2 by 15th day of each month. Details of the bank account shall be furnished by the opposite party no.2 to the petitioner.



With the aforesaid observations and directions, this application is allowed.

(Sandeep Kumar, J)

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