

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16556 of 2022

Arising Out of PS. Case No.-335 Year-2017 Thana- SERGHATI COMPLAINT CASE
District- Gaya

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OM PRAKASH DAS Son of Sitaram Das Resident of Village- Nimiyatand,
P.S.- Barachati, District- Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Pinki Devi D/o Shri Ramanand Das Resident of Village- Lakhaiypur, P.S.-
Mohanpur, District- Gaya.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Gajendra Kumar Singh

For the Opposite Party/s : Mr.Braj Kishore Pd.(App)

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 29-11-2022 Heard learned counsel for the petitioner 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. 335 of 2017 instituted for the offence
under Section 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 Hero Honda motorcycle, petitioner along with
other family members started to abuse and torture the
complainant mentally and physically.

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, 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 complainant 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 December, 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 ACJM, Sherghati, Gaya in connection with Complaint Case No. 335 of 2017, 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 December) 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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