

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18907 of 2022

Arising Out of PS. Case No.-35 Year-2019 Thana- MAHILA P.S. District- Nawada

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Arun Kumar Son Of Sudama Prasad Resident Of Village - Bajpur, P.S. -
Pakribarawan, District - Nawada

... .. Petitioner/s

Versus

1. The State of Bihar
2. Reena Devi Wife of Arun Kumar D/o Preman Yadav, Resident of village -
Rampur, P.S. - Pakribarawan, District - Nawada

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Durgesh Nandan
For the Opposite Party/s : Mr.Upendra Kumar

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 12-12-2022 Heard learned counsel for the petitioner,

complainant and learned APP for the State.

The petitioner is apprehending his arrest in a

case registered for the offences punishable under

Sections 341, 323, 498(A) of the Indian Penal Code and

Section 3/4 of the Dowry Prohibition Act.

The accusations are of torture and making

assault for non-fulfillment of dowry demand and ousting

the informant from her matrimonial house.

It is submitted by learned counsel for the



petitioner that the petitioner tried his best to resume the conjugal life with the informant but the informant did not agree to live with the petitioner. Hence, the petitioner has filed Divorce Case No. 194 of 2018 for dissolution of marriage. Thereafter, the present F.I.R has been lodged as a retaliatory measure against the petitioner. There is general and omnibus allegation against the petitioner.

Learned counsel appearing on behalf of the informant has submitted that torture has been inflicted upon the informant and the informant is 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. 5,000/- as interim maintenance to the informant before filing of the bail bonds.

The petitioner also undertakes to make payment of Rs. 5,000/- per month to the informant by depositing the same in her bank account from December, 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, Nawada in connection with Mahila P.S. Case No. 35 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. 5,000/- 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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