

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28864 of 2021

Arising Out of PS. Case No.-114 Year-2019 Thana- DANDKHORA District- Katihar

SADANAND MANDAL Son of Mahendra Mandal Resident of Village -
Baluganj, P.S. - Dandkhora, District - Katihar.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Chiina Devi D/o Raju Kumar Mandal, R/v-Thakkol, P.O. Ragheli, P.S.
Dandkhora, Katihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Rajesh Kumar Pandey
For the Opposite Party/s :	Mr. Sanjeev Kumar
	Mr. Ram Bilash Roy Raman, App

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 18-02-2022 Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the opposite party no.2
though video conferencing.

The petitioner seeks anticipatory bail in connection
with Dandkhora P.S. Case No. 114/2019 registered for the
offences under Section 498-A and other allied sections of the
Indian Penal Code and under Sections 3/4 of the Dowry
Prohibition Act.

At the very outset, learned counsel for the petitioner
has offered to pay a maintenance amount of Rs. 5,000/- (Rupees
Four Thousand) per month to the opposite party No. 2 which
shall be subject to final outcome of the maintenance case.

Considered the submission of the parties.



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 prayer of the petitioner for grant of 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 four weeks from today, on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Katihar, in connection with Dandkhora P.S. Case No. 114/2019, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

It is made clear that if the petitioner fails to give monthly maintenance of Rs. 5,000/- per month till the disposal of the maintenance case from the month of February, 2022 onward to the opposite party No. 2, his bail bond is liable to be cancelled.

The aforesaid maintenance amount shall be transferred by the petitioner in the bank account of 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.

It has been submitted jointly by the counsel for the parties that Maintenance Case No. 35 of 2021 has been filed in the Court of Principal Judge, Family Court, Katihar by the opposite party No. 2.

The petitioner shall appear in the maintenance case on 25th of February, 2022 and, thereafter, the Principal Judge, Katihar, will fix the date in the case and hear the case expeditiously and conclude the maintenance case within three months. The maintenance case may proceed *ex parte*, if either of the parties do not co-operate.

Put up this case after three months for considering the compliance report by Principal Judge, Family Court, Katihar..

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

(Sandeep Kumar, J)

Saif/-

U		T	
---	--	---	--

