

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22064 of 2022

Arising Out of PS. Case No.-92 Year-2021 Thana- MAHILA P.S. District- Rohtas

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DARPAN KUMAR S/o Dilip Kumar Resident of Mohalla- Jakki Bigha,
Chhoti Line Railway Quarter No.08, P.S.- Dehri (Town), District- Rohtas.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rekha Devi W/o Darpan Kumar, D/o Indramani Ram Resident of Mohalla-
Barah Pathar, Ward No.36, Dehri, P.S.- Dehri (Town), District- Rohtas.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ajay Kumar Tiwari

For the Opposite Party/s : Mr.Ram Priya Sharan Singh

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 06-12-2022 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

The instant application for anticipatory bail has been
filed by the petitioner apprehending his arrest in connection
with Mahila P.S. Case No. 92 of 2021 instituted for the offence
under Sections 341, 323, 494, 498A, 504/34 of the Indian Penal
Code.

The allegation against the petitioner is that due to
non-fulfillment of dowry demand of Rs. One lakh and one
motorcycle, petitioner along with co-accused persons started to
assault and torture the informant mentally and physically.

Learned counsel appearing on behalf of the petitioner



has submitted that petitioner is innocent and has committed no offence. Petitioner is the husband of informant and has falsely been implicated in this case.

Learned Counsel for the informant prayed for some maintenance for survival of the informant as she is a housewife and she is not able to maintain herself.

In alternative, learned counsel appearing on behalf of the petitioner, on instructions, submits that petitioner is ready to give rupee four 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 informant 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 4,000/ (Four Thousand) in every month commencing from December as maintenance in the account furnished by the informant.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of



four weeks from today and in the event of his arrest or surrender in connection with Mahila P.S. Case No. 92 of 2021, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Dehri-on-sone, Rohtas 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/- (for the month of December) by the petitioner in the account of the informant.

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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