

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32178 of 2021

Arising Out of PS. Case No.-10 Year-2020 Thana- PATRAKARNAGAR District- Patna

KUMAR SAURABH @ SOMU S/o Mahananad Singh Resident of Village-Khopira, P.S.- Pawana, District- Bhojpur, State- Bihar, At present Resident of P.I.T. Colony L2/57, Kankarbagh, P.S.- Patrakar Nagar, Town and District-Patna.800020.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Kundan Rathore, Adv.
For the State	:	Mr.Amrendra Narayan Ravi, APP
For the O.P. No. 1		Mr. Rohit Kr., Adv.
		Mr. Manish Kumar no. 131, Adv.

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

6 09-05-2022 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 Patrakar Nagar P.S. Case No. 10 of 2020 instituted for the offence under Sections 341, 323, 307, 498A, 504, 506, 379 and 34 of the Indian Penal Code and Sections 3/4 of the Dowry Prohibition Act.

As per allegation in the FIR, due to non-fulfillment of dowry demand of Rs. ten lakh, petitioner along with other family members started to abuse and torture the informant mentally and physically.



It is submitted by learned counsel for the petitioner that petitioner is husband of the informant. He has filed Informatory petition before the learned C.J.M., Patna on 2.12.2019. A Matrimonial Case No. 1451 of 2019 is pending in the court of Principal Judge, Family Court, Patna.

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

Learned counsel appearing on behalf of the petitioner, on instructions, submits that petitioner is ready for monthly maintenance @ Rs. 5,000/- per month, commencing from this month i.e. May, 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. 5,000/- (Five Thousand) in first week of every month commencing from May 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 Sub-Judge VIII-cum-ACJM, Patna in connection with Patrakar Nagar P.S. Case No. 10 of 2020, 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/- (for the month of May) 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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