

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24234 of 2022

Arising Out of PS. Case No.-1057 Year-2021 Thana- PATNA COMPLAINT CASE District-
Patna

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MUKESH KUMAR Son of Chandra Shekhar Singh @ Chandrashekhar Pd.
Singh Resident of Lekhanagar, Krishna path, P.S. - Danapur, Dist.- Patna.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anil Kumar

For the Opposite Party/s : Mr.Tapeshwar Sharma

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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 complainant 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. 1057(C) of 2021 instituted for the
offence under Sections 323, 498A of the Indian Penal Code.

The allegation against the petitioner is that due to
non-fulfillment of dowry demand of four wheeler, petitioner
started to assault and subjected to cruelty with the complainant
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 the complainant and has



falsely been made accused in this case.

Learned Counsel for the complainant prayed for some maintenance for survival of the complainant 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 Five Thousand per month from this month, subject to furnishing bank account number by the complainant to the petitioner.

In the changed circumstance, learned counsel for the complainant admits that he shall provide bank account number of the complainant to the petitioner within a period of one week from today. On receipt of the bank account number of the complainant, the petitioner shall deposit Rs 5,000/ (Five Thousand) in every month commencing from December as maintenance in the account furnished by the complainant.

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 Complaint Case NO. 1057(C) 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 Judicial Magistrate-1st Class, Danapur, District- Patna 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 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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