

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.24454 of 2022

Arising Out of PS. Case No.-158 Year-2021 Thana- NIMCHAKBATHANI District- Gaya

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GUDDU CHAUDHARY, S/o Ramchandra Chaudhary, Resident of Village-
Saren, P.S.- Neemchak Bathani, District- Gaya.

... .. Petitioner

Versus

1. The State of Bihar.
2. Soni Kumara, W/o Guddu Choudhary, Daughter of Bisun Chaudhary,
Resident of Village- Sapneri, P.S.- Mahkar, Dist- Gaya.

... .. Opposite Parties

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Appearance :

For the Petitioner : Mr. Vishwa Ranjan Choudhary, Advocate
For the Opposite Party : Mr. Shahabuddin Azeem @ S. Azeem, APP

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR

ORAL ORDER

2 17-05-2022 Heard learned counsel for the parties.

Learned counsel for the petitioner is permitted to
remove defect(s), as pointed out by the office, if any, within a
period of four weeks from today.

This application for anticipatory bail arises out of
Neemchak Bathani P.S. Case No. 158 of 2021 registered for the
offences under Sections 323/498-A/504/34 of the Indian Penal
Code and under Section 3/4 of the Dowry Prohibition Act.

There are allegations and counter allegations made
by both the parties against each other, which cannot be decided
in this proceeding.



Considering the aforesaid fact and also the law laid down by the Apex Court in the case of *Arnesh Kumar vs. State of Bihar* reported in *(2014) 8 SCC 273*, this anticipatory bail application is allowed.

Let the petitioner, above named, in the event of his arrest/surrender within four weeks from today in the Court below, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Gaya, in connection with Neemchak Bathani P.S. Case No. 158 of 2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Considering the facts and circumstances of the case, the petitioner is directed to pay maintenance of Rs.5,000/- per month to the opposite party no.2. The aforesaid amount of maintenance shall be credited in the bank account of the opposite party no. 2 by 7th of every month beginning from May, 2022. The opposite party no.2 shall provide her bank account details to the petitioner or his advocate immediately. In failure to pay the aforesaid amount of maintenance to the opposite party no.2, this order shall automatically stand canceled and the petitioner shall be taken into custody.



The aforesaid amount maintenance shall be subject
to the order passed by any competent Court.

(Sandeep Kumar, J)

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