

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24597 of 2020

Arising Out of PS. Case No.-1467 Year-2018 Thana- COMPLAINT CASE District- Araria

GAYANAND TATMA Son of Late Rabi Lal Tatma Resident of Village-
Shyampur, Police Station- Palasi, District- Araria.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Sushila Devi W/o Gayanand Tatma Resident of Village- Balua Dyodhi,
Police Station- Palasi, District- Araria.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Rana

For the Opposite Party/s : Mr. Madan Kumar, APP Incharge

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

9 13-04-2022 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.

Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State.

The petitioner apprehends his arrest in connection

with Complaint Case No. 1467C of 2018 registered for the

offences punishable under Sections 498A of the Indian Penal

Code and Section 4 of the Dowry Prohibition Act.

There are allegations and counter allegations by both

the parties and these facts cannot be decided by this Court in

this anticipatory bail proceeding and in view of the law laid



down 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 application 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 bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Araria, in connection with Complaint Case No. 1467C of 2018, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

Learned counsel for the opposite party No. 2 has not been able to inform this Court about any maintenance case having been filed by the opposite party No. 2 and he submits that perhaps the opposite party No. 2 has filed a maintenance case before the Principal Judge, Family Court, Araria.

In case, the opposite party No. 2 files a maintenance case then she will inform the Advocate for the petitioner appearing in the Court below about the filing of the maintenance case and will also file an application in the Court below bringing on record the details of the maintenance case so that the petitioner cannot avoid appearance in the maintenance case.



If any maintenance case is filed by the opposite party No. 2, the same shall be disposed of by the Principal Judge, Family Court, Araria expeditiously preferably within a period of three months from today.

With the aforesaid observations and directions, the present anticipatory bail application is allowed.

(Sandeep Kumar, J)

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