

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28358 of 2022

Arising Out of PS. Case No.-115 Year-2021 Thana- MAHILA P.S. District- Patna

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SAMEER SINGH Son of Sri Vijay Kumar Singh Resident of Village -
Hathidah, P.s.- Hathidah, Distt.- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Swati Kumari D/o Sri Sunil Kumar Resident of Village - Sri Krishnapuri,
M1/11, Boring Road, P.s.- Sri Krishnapuri, Distt.- Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kumar Manglam

For the Opposite Party/s : Mr. Manoj Kumar

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 18-10-2022 Heard learned counsel for the petitioner 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. 115 of 2021 instituted for the offence under Sections 354A, 498A and 34 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

As per allegation in the FIR, due to non-fulfillment of dowry demand of Rs. eighty lakh, petitioner along with other family members started to abuse and torture the informant mentally and physically and ultimately they ousted her from her matrimonial home.



It is submitted by learned counsel for the petitioner that petitioner is husband of the informant and he has been falsely implicated in the present case.

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

In the alternative, learned counsel appearing on behalf of the petitioner, on instructions, submits that petitioner is ready to give Rupee eight 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. 8,000/- (eight Thousand) in every month commencing from October, 2022 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 Judicial Magistrate, 1st Class, Patna in connection with Mahila P.S. Case No. 115 of 2021 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. 8,000/- (for the month of October, 2022) 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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