

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38257 of 2021

Arising Out of PS. Case No.-2174 Year-2018 Thana- GAYA COMPLAINT CASE District-
Gaya

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Vipin Singh @ Vipin Kumar, aged about 24 years, Male Son of Narayan Singh, Resident of Village - Sahbajpur, P.O. and P.S. - Barachatti, District – Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Karishma Kumari, Wife of Vipin Singh, Daughter of Gola Kumar, Resident of Village - Sahbajpur, P.O. and P.S. - Barachatti, District – Gaya. At Present Resident of Village - Jahanbigha, P.S.- Bodhgaya, District – Gaya.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ayush Kumar, Advocate
For the Opposite Party/s : Mr. Ganesh Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

6 16-05-2022 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. 2174 of 2018 registered for the offences punishable under Sections 498A, 323, 379 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

Learned counsel submits that the petitioner and the



girl are present in Court. The petitioner at the very outset submits that he will pay a monthly maintenance of Rs. 5,000/- per month to the opposite party no. 2 and considering the law laid down by the Hon'ble Apex Court in the case of **Arnesh Kumar Vs. State of Bihar** reported as **(2014) 8 SCC 273**, this application for anticipatory bail 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 S.D.J.M., Gaya in connection with Complaint Case No.2174 of 2018, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

The opposite party no. 2 will gave her Bank detail in the Court below and the petitioner shall transfer Rs. 5,000/- per month on or before 10th of every month. The maintenance for the month of May shall be transferred in the Bank account of the opposite party no. 2 by the 10th of next month and thereafter, the petitioner will pay regular maintenance to the opposite party no. 2. In any case of default in making payment shall result in cancellation of the bail bond to the petitioner.



The Maintenance Case No. 47 of 2022, pending in the Court of Principal Judge, Family Court, Gaya shall be disposed of by the Principal Judge, Family Court, Gaya within three months from today. The petitioner shall appear in maintenance case on 23rd of May, 2022 and thereafter, the same shall be decided expeditiously.

This order of maintenance passed in this case shall be subject to any order of maintenance passed by the Principal Judge, Family Court, Gaya. While deciding the maintenance case, the Principal Judge, Family Court, Gaya will be guided by the judgment of the Hon'ble Supreme Court in the case of **Rajnish Vs. Neha & Ors.** reported as **(2021) 2 SCC 324**.

(Sandeep Kumar, J)

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