

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30345 of 2022

Arising Out of PS. Case No.-105 Year-2022 Thana- KATIHAR NAGAR District- Katihar

Arun Kumar Gupta Son Of Late Manohar Gupta R/O Mohalla- Colony No.-2,
Ward No.21, P.S.- Town Katihar, District- Katihar

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rimjhim Kumari Wife Of Arun Kumar Gupta R/O Mohalla- Colony No.-2,
Ward No.21, P.S.- Town Katihar, District- Katihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanchay Srivastava

For the Opposite Party/s : Mr.Aditya Narayan Singh.1

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 14-11-2022 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

The instant application for anticipatory bail has been
filed by the petitioner apprehending his arrest in connection
with Katihar Town P.S. Case No. 105 of 2022 instituted for the
offence under Sections 498A, 341, 323, 504, 506/34 of the
Indian Penal Code.

The allegation against the petitioner is that due to
non-fulfillment of dowry demand of Rs. Five lakh, petitioner
started to assault and torture the informant mentally and
physically.

Learned counsel appearing on behalf of the petitioner



has submitted that petitioner is innocent and has committed no offence. He has falsely been implicated in this case.

Learned Counsel for the informant prayed for some maintenance for survival of the informant 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 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. 5,000/ (Five Thousand) in every month commencing from November as maintenance in the account furnished by the informant.

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 Katihar P.S. Case No. 105 of 2022, 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 S.D.J.M., Katihar 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 November) 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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