

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41136 of 2021**

Arising Out of PS. Case No.-53 Year-2021 Thana- TEKARI District- Gaya

Chandan Paswan S/O Raju Paswan R/O Village-Singhapur, P.S-Tekari,
District-Gaya.

... .. Petitioner

Versus

1. The State Of Bihar
2. Pushpa Prakash W/O Chandan Paswan, D/O Rampukar Paswan R/O
Village-Jaitpur, P.S-Haspura, District-Aurangabad.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dr. Kamal Deo Sharma, Advocate.

For the Opposite Party/s : Mr. Rita Verma, APP.

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

6 06-04-2022 Heard learned counsel for the parties.

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

The petitioner seeks anticipatory bail in connection with Tekari P.S. Case No. 53/2021, registered for the offences under Sections 341, 323, 307, 504, 506 & 498(A)/34 of the Indian Penal code and $\frac{3}{4}$ of the Dowry Prohibition Act.

Learned counsel for the petitioner submits that the petitioner is innocent and he has falsely been implicated in this case. He also submit that the allegations are false.

The learned counsel for the opposite party no.2



submits that the petitioner has tortured the opposite party no. 2 and therefore he has left matrimonial home.

The learned counsel for the petitioner submits that the petitioner is ready to pay reasonable amount to the opposite party no. 2 for her maintenance.

Considering the aforesaid facts the 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 learned Chief Judicial Magistrate, Gaya in connection with Tekari P.S. Case No. 53 of 2021, subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure.

The petitioner will pay Rs. 10,000/- per month to the opposite party no. 2 as maintenance starting from April 2022. The maintenance amount for the month of April 2022 shall be paid by the petitioner to the opposite party no. 2 in her bank account by 15th of this month and thereafter, the maintenance amount shall be transferred by the petitioner to the account of opposite party no. 2 by 10th of every month.



It has been submitted by the learned counsel for the opposite party no. 2 that she has filed a maintenance case vide maintenance case no. 284 of 2022 dated 02.04.2022 in the court of Principal Judge, Family Court Gaya.

The petitioner is directed to appear in the maintenance case after three weeks and thereafter Principal Judge, Family court Gaya will fix a date for hearing and thereafter the maintenance case shall be decided expeditiously within a period of three months from the date of first appearance of the parties, as directed above. The Principal Judge family Court Gaya will proceed with the maintenance case if either of the parties do not cooperate in the matter. The interim maintenance of Rs. 10,000/- per month will be subject to the result of any order passed by the Principal Judge, Family court in the maintenance case.

(Sandeep Kumar, J)

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