

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31220 of 2022

Arising Out of PS. Case No.-1029 Year-2021 Thana- SITAMARHI COMPLAINT CASE
District- Sitamarhi

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AMIT KUMAR JHA S/o Ravindra Jha Resident of Village- Paroha, P.S.-
Dumra, District- Sitamarhi.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Jyoti Jha W/O Amit Kumar Jha Resident Of Village- Paroha, P.S.- Dumra,
District- Sitamarhi. At present C/o Shashi Bhushan Jha, R/o Village-
Dumarwana, Bairgania, P.S.- Bairgania, District- Sitamarhi.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Amit Kumar Jha
For the Opposite Party/s : Mr. APP

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 22-11-2022 Heard learned counsel for the petitioner, learned
counsel for the complainant and learned APP for the State.

The instant application for anticipatory bail has been
filed by the petitioner apprehending his arrest in connection
with Complaint Case No. C-1 1029 of 2021 instituted for the
offence under Sections 323, 498(A), 504 of the Indian Penal
Code.

The allegation against the petitioner is that due to
non-fulfillment of dowry demand of Rs. Two lakhs, petitioner
started to assault and torture the complainant mentally and
physically. It is further alleged that the petitioner along with
other accused persons with a common intention tied the hand



and leg of the complainant and sprinkled kerosene on her and tried to set her on fire.

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 complainant prayed for some maintenance for survival of the complainant 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 four thousand per month from this month, subject to furnishing bank account number by the complainant to the petitioner.

In the changed circumstance, learned counsel for the complainant admits that he shall provide bank account number of the complainant 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 4,000/ (Four Thousand) in every month commencing from November as maintenance in the account furnished by the complainant.

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 Complaint Case No. 1029 of 2021 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 A.C.J.M.-VII, Sitamarhi 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. 4,000/- (for the month of November) by the petitioner in the account of the complainant.

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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