

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35407 of 2022**

Arising Out of PS. Case No.-104 Year-2018 Thana- MAHILA P.S. District- Patna

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Amit Anand @ Amit Son Of Mahendra Prasad R/O B Chak Lal Mohammad,
P.S.- Naini, District - Allahabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Patanjali Rishi

For the Opposite Party/s : Mr. Nand Kishore Prasad

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**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

4 16-11-2022 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 498(A), 34 of the Indian Penal Code and Section 3/ 4 of the Dowry Prohibition Act.

It is a case of cruelty due to non-fulfillment of dowry demand.

It is submitted by learned counsel for the petitioner that petitioner has been implicated in this case since he is husband of the informant. The petitioner is still ready to keep the informant as wife with full dignity



and honour but it is the informant who does not want to live with the petitioner. It is also submitted that an interim order for maintenance has been passed by the learned Court below in favour of the informant.

Learned counsel appearing on behalf of the informant has vehemently opposed the prayer for anticipatory bail to the petitioner and submitted that petitioner is not paying the interim maintenance in spite of order of the Court below, as a result of which, the informant is at the verge of starvation.

The petitioner undertakes to pay the up-to-date maintenance amount which was ordered in favour of the informant including the arrears incurred in respect of maintenance amount before filing of the bail bonds.

In the facts and circumstance of the case, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of eight weeks from today, 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. 104 of 2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

The bail bonds of the petitioner will be accepted by the learned Court below on showing up-to-date payment of maintenance including payment of arrears of the maintenance which was ordered in favour of the informant.

(Sunil Kumar Panwar, J)

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