

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37319 of 2022

Arising Out of PS. Case No.-1015 Year-2020 Thana- WEST CHAMPARAN COMPLAINT
District- West Champaran

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Brijnandan@Raja Babu Son Of Ajay Kumar Resident Of Sonawati Colony,
Lalita Niwas Ward No 27, Dumra Road, P.S- Mehsaul Chowk O.P
(SITAMARHI) Dist- Sitamarhi

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Salu Kumari@ Salu Devi Wife Of Brajnandan @ Raja Babu D/O Rajesh Kumar Srivastava R/O Village- Pipra Bakulahar, P.S- Chanpatia , District- West Champaran

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anil Kumar
For the Opposite Party/s : Mr.Surendra Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 30-11-2022 Heard learned counsel for the petitioner,

complainant and learned APP for the State.

The petitioner is apprehending his arrest in a

case registered for the offences punishable under Section

498(A) of the Indian Penal Code.

The accusations are of torture and making

assault for non-fulfillment of dowry demand.

It is submitted by learned counsel for the

petitioner that the petitioner tried his best to resume the

conjugal life with the complainant but the complainant



did not agree to live with the petitioner. There is general and omnibus allegation against the petitioner. The petitioner has also filed Matrimonial Case No. 132 of 2020 for dissolution of marriage and thereafter the present complaint has been lodged against the petitioner. The petitioner is still ready to keep the complainant as wife with full dignity and honour.

Learned counsel appearing on behalf of the complainant has submitted that torture has been inflicted upon the complainant and the complainant is at her parents' house and she is at the verge of starvation since the petitioner is not maintaining her.

In the alternative, the petitioner is ready to make payment of Rs. 5,000/- as interim maintenance to the complainant before filing of the bail bonds.

The petitioner also undertakes to make payment of Rs. 5,000/- per month to the complainant by depositing the same in her bank account from December, 2022.



The learned counsel appearing on behalf of the complainant has accepted the offer of the petitioner and undertakes to provide bank account details of the complainant to the petitioner as early as possible.

Considering the aforestated facts, let the petitioner, above named in the event of his arrest or surrender before the court below within a period of four weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, West Champaran at Bettiah in connection with Complaint Case No. 1015 of 2020, 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/- by the petitioner in the account of the complainant.

The aforesaid payments will be subject to any



order passed in matrimonial or maintenance proceedings.

(Sunil Kumar Panwar, J)

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