

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38551 of 2022

Arising Out of PS. Case No.-56 Year-2017 Thana- MAHILA P.S. District- Bhojpur

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DINESH SAH S/o Kameshwar Sah R/o village- Bankat, P.S.- Garhani, Distt.- Bhojpur, at present residing in Block A House No. 41, Nanda Road, Adesh Nagar, Delhi 110033

... .. Petitioner/s

Versus

1. The State of Bihar
2. Anita Devi W/o Dinesh Sah, D/o Jibudh Sah R/o village- Bankat, P.S.- Garhani, Distt.- Bhojpur, Presently residing at Village- Chaprapur, P.S.- Narayanpur, District- Bhojpur

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amarendra Kumar
For the Opposite Party/s : Mr. Meena Singh

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 01-12-2022 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 Mahila P.S. 56 of 2017 instituted for the offence under Sections 498A, 379/34 of the Indian Penal Code.

The allegation against the petitioner is that due to non-fulfillment of dowry demand of Rs. Three 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. Petitioner is husband of the informant and 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 four 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 4,000/ (Four Thousand) in every month commencing from December 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 Mahila P.S. 56 of 2017, 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 Sub Divisional Judicial Magistrate, Bhojpur, Ara 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 December) 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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