

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50783 of 2021

Arising Out of PS. Case No.-44 Year-2021 Thana- BAJPATTI District- Sitamarhi

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SUJIT KUMAR GAI @ SUJIT KUMAR, Son of Late Jai Narayan Gai,
Resident of Village- Dighi, P.S.- Bathnaha, District- Sitamarhi.

... .. Petitioner

Versus

1. The State of Bihar.
2. Sudhar Kumari, Daughter of Gyanendra Prasad Gupta, Resident of Village-
Bangaon Bazar, Bajpatti, P.S.- Bajpatti, District- Sitamarhi.

... .. Opposite Party

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Appearance :

For the Petitioner	:	Mr. Pushpendra Kumar Singh, Advocate Smt. Divya Bharti, Advocate
For the Opposite Party	:	Mr. Rajiv Nayan, APP

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 04-04-2022 Heard learned counsel for the parties.

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

This application for anticipatory bail arises out of Bajpatti P.S. Case No. 44 of 2021 registered for the offences under Sections 341, 323, 498-A, 313, 504 & 506/34 of the Indian Penal Code and under Section 3/4 of the Dowry Prohibition Act.

At the very outset, learned counsel for the petitioner has submitted that being husband the petitioner is ready to pay interim maintenance of Rs.4,000/- per month to the



opposite party no.2 during the pendency of the case.

Considered the submissions of the parties.

The petitioner is the husband of the opposite party no.2. There are allegations and counter allegations made by both the parties against each other, which cannot be decided in the present anticipatory bail proceeding.

Considering the aforesaid facts and also the law laid down by the Apex Court in the case of *Arnesh Kumar vs. State of Bihar* reported in (2014) 8 SCC 273, this anticipatory bail application is allowed.

Let the petitioner, above named, in the event of his arrest/surrender within six 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 the learned Sub-Divisional Judicial magistrate, Pupri, Sitamarhi, in connection with Bajpatti P.S. No. 44 of 2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

The petitioner shall pay maintenance of Rs.4,000/- per month to the opposite party no.2. The aforesaid amount of maintenance shall be credited in the bank account of the opposite party no. 2 by 7th of every month begging from the



month of April, 2022. The opposite party no.2 shall provide her bank account details to the petitioner or his advocate immediately. In failure to pay the aforesaid amount of maintenance to the opposite party no.2, this order shall automatically stand canceled and the petitioner shall be taken into custody.

(Sandeep Kumar, J)

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