

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44566 of 2022

Arising Out of PS. Case No.-1044 Year-2021 Thana- MUNGER COMPLAINT CASE
District- Munger

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PREM SHANKAR MISHRA @ CHUNNA S/O LATE BIVASH CHANDRA
MISHRA Resident of village- Biswaspur, P.S.- Sanhaura, District- Bhagalpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Amrendra Kumar Jha
For the Opposite Party/s : Mr.Humayou Ahmad Khan

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 12-12-2022 Heard learned counsel for the petitioner 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. 1044C/2021** instituted for the offence
under Sections 323, 498(A), 504, 506, 313 of the Indian Penal
Code.

As per allegation in the FIR, just after marriage,
petitioner, who is an engineer, started to harass the complainant
mentally and physically and snatched all her belongings.

It is submitted by learned counsel for the petitioner
that petitioner is husband of the informant and he is ready to
keep the informant as wife with full dignity and honour. It is



further submitted by learned counsel for the petitioner that complainant is in habit of lodging one case after another case against her petitioner (husband).

The aforesaid offer of the petitioner has not been accepted by the informant who denies to go to her matrimonial house and live with her husband. However, she prays for some maintenance for her survival as she is a housewife and she is not able to maintain herself.

In the alternative, learned counsel appearing on behalf of the petitioner, on instructions, submits that petitioner is ready to give Rupee ten 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. 10,000/- (Ten Thousand) in every month commencing from December,2022 as maintenance in the account furnished by the informant.

Having heard learned counsel for the parties and considering the submissions made on behalf of the petitioner,



this Court is inclined to enlarge him on bail. The petitioner, above named, in the event of his arrest or surrender before learned Court below within a period of four weeks from today, shall 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 ACJM-II, Munger in connection with Complaint Case No. 1044C/2021, 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. 10,000/- (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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