

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54706 of 2021

Arising Out of PS. Case No.-23 Year-2019 Thana- ROHTAS COMPLAINT CASE District-
Rohtas

-
1. RAKESH CHOUDHARY S/o Pradyuman Chaudhary R/o village- Shivpur
Chitauli, P.S.- Agarar, District- Rohtas

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sanju Devi D/o Ram Ashish Chaudhary R/o village- Arang Tola, P.S.-
Dinara (Bhanas), District- Rohtas

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajani Kant Singh

For the Opposite Party/s : Mr.Vinod Shanker Modi

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

- 3 04-07-2022 Office is directed to delete the name of petitioner no.
2 from the cause title, who is opposite no. 2 in this case.

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. 23 of 2019 instituted for the offence
under Sections 498A, 323, 504/34 of the Indian Penal Code and
Section 3/4 of the Dowry Prohibition Act.

As per allegation in the FIR, due to non-fulfillment of
motorcycle and colour t.v., petitioner along with other family
members started to abuse and torture the complainant mentally



and physically.

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.

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 three thousand per month commencing 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. 3,000/- (Three Thousand) in first week of every month commencing from July 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 SDJM, Sasaram, Rohtas in connection with Complaint Case No. 23 of 2019, 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. 3,000/- (for the month of July) 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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