

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56466 of 2021**

Arising Out of PS. Case No.-307 Year-2020 Thana- SITAMARHI COMPLAINT CASE
District- Sitamarhi

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SUJIT KUMAR SHRIVASTAV S/O MOHAN PRASAD SHRIVASTAV
Resident of Near Kolpara Railway Crossing, Mahadev Toil, Lower Chutia,
Ranchi, P.O.- G.P.O., P.S.- Chutia, District- Ranchi (Jharkhand)

... .. Petitioner/s

Versus

1. The State of Bihar
2. Shalu Kumari W/o Sujit Kumar Shrivastav, D/o Amrendra Kumar Verma
Presently residing at- Baans Bariya Tola, Kamla Garden, P.O. and P.S.-
Sitamadhi (Bihar)

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajeev Ranjan, Advocate
For the Opposite Party/s : Mr. Madan Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 26-04-2022 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 Sections 498(A),
323, 341, 379 and 504 of the Indian Penal Code and Section 4
of the Dowry Prohibition Act.

The accusation is of 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 herself does not want to



live with 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 petitioner is in habit of making assault with the complainant. Hence, out of fear of life, she does not want to live with the petitioner.

In the alternative, the petitioner is ready to make payment of Rs. 5000/- per month as interim maintenance to the complainant by depositing the same in her bank account by 1st week of every month.

The petitioner undertakes that he shall pay the monthly payment of Rs. 5000/- of this month i.e. April, 2022 to the complainant before filing of the bail bonds and from May, 2022, he shall continue making payment of Rs. 5000/- per month by 1st week of every month in the bank account of the complainant.

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 Chief Judicial Magistrate, Sitamarhi in connection with Complainant Case No. 307 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. 5000/- 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)

Brajesh Kumar/-

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