

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50215 of 2022

Arising Out of PS. Case No.-1253 Year-2021 Thana- KATIHAR COMPLAINT CASE
District- Katihar

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Mithilesh Chandra Dev @ Mithilesh Chandra Deo Son Of Pramod Keshri
Presently Reside At Qtr No.- D And 24, Oil India Ltd., Moranhat, P.S.-
Moranhat, District - Charaideo, Assam.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Aakanksha Keshri @ Aakanksha Kumari Daughter of Rajesh Keshri
Resident of village - Sabda Pothia, P.S.- Falka, District - Katihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Swapnil Kumar Singh
For the Opposite Party/s : Mr.A.P.P

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 07-12-2022 Heard learned counsel for the petitioner, learned
counsel for the complainant 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. 1253 of 2021 instituted for the offence
under Section 498(A) of the Indian Penal Code and Section 3/4
of the D.P. Act.

The allegation against the petitioner is that due to
non-fulfillment of dowry demand of Rs. Ten Lakh, the
complainant subjected to cruelty and tortured by the petitioner
and his family members.

Learned counsel appearing on behalf of the petitioner



has submitted that petitioner is innocent and has committed no offence. Petitioner is the husband of complainant due to which he has falsely been implicated in this case.

Learned Counsel for the complainant prayed for some maintenance for survival of the complainant 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 Ten Thousand per month from this month, subject to furnishing bank account number by the complainant to the petitioner.

In the changed circumstance, learned counsel for the complainant admits that he shall provide bank account number of the complainant to the petitioner within a period of one week from today. On receipt of the bank account number of the complainant, the petitioner shall deposit Rs 10,000/ (Ten Thousand) in every month commencing from December as maintenance in the account furnished by the complainant.

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 Complaint Case No. 1253 of 2021, 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 S.D.J.M., Katihar 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 complainant.

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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