

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61197 of 2021

Arising Out of PS. Case No.-41 Year-2021 Thana- MAHILA PS District- East Champaran

SUNIL PASWAN Son of Late Moti Lal Paswan Resident of Village - Rani Chapra, P.S. - Harsidhi, District - East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Baby Devi Daughter of Late Ramchandra Paswan Resident of Village - Jitaura Gopalpur, P.S. - Chakiya, District - East Champaran.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Abhishek Kumar, Advocate
For the Opposite Party/s	:	Mr. Gulnar Begum, APP
For the Informant	:	Mr. Kundan Rathore, Advocate

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

6 10-08-2022 Heard learned counsel for the petitioner, learned counsel for the informant and learned APP for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 498A, 494, 406 and 34 of the Indian Penal Code and 3 and 4 of the Dowry Prohibition Act.

In compliance of the order dated 25.07.2022, the petitioner and the informant are present in the Court along with their respective counsels.

After hearing the petitioner and the informant in person, the Court arrives at a conclusion that it appears that it is not possible for them to start their conjugal life peacefully and



happily again, as the informant is alleging that petitioner has performed his second marriage and the petitioner is denying his second marriage.

Learned counsel for the informant based on instruction submits that he will not oppose the bail application of the petitioner in the event if the petitioner is willing to pay an amount of Rs. 4,000/- per month as maintenance to the informant and the child.

The learned counsel for the petitioner also based on instruction submits that petitioner is ready and willing to pay an amount of Rs. 4,000/- per month towards maintenance to the informant.

The learned counsel for the informant submits that presently informant does not have a bank account and as such she will be opening a bank account and thereafter the same will be furnished in the learned trial court.

The learned counsel for the petitioner submits that the moment, the informant furnishes the account number in the learned trial court he will start paying the maintenance amount, the learned counsel for the petitioner further submits that even if the bank account is furnished belatedly then also the petitioner will start paying the maintenance amount from the month of



August itself, the learned counsel next submits that thereafter the petitioner will transfer the maintenance amount in between 5-10 of every month commencing from September 2022 provided the bank account number by that time is provided to the petitioner.

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on **provisional anticipatory bail** on furnishing bail bonds of Rs. 5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Mahila P.S. Case No. 41 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

The moment, the petitioner pays the first maintenance amount to the informant, and an affidavit to the said effect is filed in the learned trial court, the provisional bail bond shall be confirmed.

(Satyavrat Verma, J)

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