

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62070 of 2021**

Arising Out of PS. Case No.-1296 Year-2019 Thana- SITAMARHI COMPLAINT CASE
District- Sitamarhi

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Md. Danish @ Danish Khan S/O Md.Amanullah Khan @ Daggi Khan R/O
Village-Lohari Tola, Chakwa, P.S-Bairgania, District-Sitamarhi.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Saba Jabin Khan W/O Danish Khan R/O Care Of Ekhlakh Ahmad Khan R/O
Mohalla-Nabi Karim, Bazar Samiti Road, Ward No.06, P.S-Mehsaul Nagar
O.P., District-Sitamarhi (Bihar).

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Uday Kumar
For the Opposite Party/s : Mr. Parmanand Kumar

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

6 13-07-2022 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. C/1-1296/2019 instituted for the
offence under Sections 498A/34 of the Indian Penal Code and
Section 4 of the Dowry Prohibition Act.

As per allegation in the FIR, due to non-fulfillment of
dowry demand of a four wheeler, 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. It is further submitted that informant is a computer engineer.

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 as she is having a daughter from the said wedlock.

In the alternative, learned counsel appearing on behalf of the petitioner, on instructions, submits that petitioner is ready to give Rupee seven 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. 7,000/- (Seven 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, Sadar, Sitamarhi in connection with Complaint Case No. C/1-1296 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. 7,000/- (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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