

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8894 of 2021

Arising Out of PS. Case No.-328 Year-2019 Thana- PATAHI District- East Champaran

SONU KUMAR SINGH Son of - Bhagya Narayan Singh @ Bhagy Narayan
Singh Resident of Village- Jaradahan, P.S.- Patahi, District- East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Menka Devi W/o- Sonu Kumar Singh, D/o- Late Ramchandra Singh
Resident of Village- Barba (East), P.O.- Barba, P.S.- Lakhaura, District- East
Champaran.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rakesh Kumar No.1
For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

7 05-05-2022 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 Patahi P.S. Case No. 328 of 2019 instituted for the offence
under Section 498(A) and 494/34 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
dowry demand of motorcycle and gold chain, petitioner along
with other family members started to abuse and torture the
informant 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 house wife 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 four thousand per month from the current 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. 4,000/- (Four Thousand) in first week of every month commencing from the current month May 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 Chief Judicial Magistrate, East Champaran, Motihari in connection with Patahi P.S. Case No. 328 of 2019, subject to the conditions as laid down under section 438(2) of the Cr.P.C.

The aforesaid payment will be subject to any order passed in the maintenance case for final settlement.

If the complainant wishes to live with the petitioner, she will file a petition before learned Court below. On receiving such a petition, the Court below shall issue notice to the petitioner, when it is expected from the petitioner to comply the undertaking given before this Court to keep the complainant as wife with full dignity and honour.

(Sunil Kumar Panwar, J)

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