

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62942 of 2021

Arising Out of PS. Case No.-88 Year-2021 Thana- MIRGANJ District- Gopalganj

DEEPAK KUMAR @ DIPAK KUMAR Son of Late Paspati Nath Prasad
Resident of Village - Nabiganj, Police Station - Barhariya, District - Siwan. at present resident of Mirganj Ward No. 04, Chhathghat, infront of Surya Clinic, Mirganj, Police Station - Mirganj, District - Gopalganj.

... .. Petitioner/s

Versus

1. The State of Bihar
2. RAJANI KUMARI Wife of Deepak Kumar @ Dipak Kumar Resident of Village - Nabiganj, Police Station - Barhariya, District - Siwan. at present resident of Mirganj Ward No. 04, Chhathghat, infront of Surya Clinic, Mirganj, Police Station - Mirganj, District - Gopalganj. At present residing - Daughter of Sunil Sah, resident of Village - Bari Rai Bhan (Lalake Bari), Police Station - Hathua, District - Gopalganj.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Lokesh Kumar Singh, Adv.
For the Opposite Party no. 2	:	Mr. Uma Shankar Pd. Singh
For the State	:	Ms. Shaheen Begum

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

5 22-08-2022 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 Mirganj P.S. Case No. 88 of 2021 instituted for the offence under Sections 323, 341, 504, 406, 498(A) 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 Rs. One lakh, 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 has been falsely implicated in this case.

Learned counsel for the informant has submitted that O.P. no. 2 wants some maintenance for her survival as she is a housewife 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 three 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. 3,000/- (three Thousand) in first week of every month commencing from the current month August 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 ACJM-XVI, Gopalganj in connection with Mirganj P.S. Case No. 88 of 2021, 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. 3,000/- (for the month of August) 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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