

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64563 of 2021**

Arising Out of PS. Case No.-324 Year-2020 Thana- SAHARSA COMPLAINT CASE
District- Saharsa

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1. BABLU MUKHIYA SON OF LATE TARNI MUKHIYA @ TARINI MUKHIYA R/O VILLAGE- RAJANPUR, P.S.- MAHISHI, DISTRICT- SAHARSA
 2. PAPPU MUKHIYA SON OF LATE TARNI MUKHIYA @ TARINI MUKHIYA R/O VILLAGE- RAJANPUR, P.S.- MAHISHI, DISTRICT- SAHARSA
 3. RANJU DEVI WIFE OF PAPPU MUKHIYA R/O VILLAGE- RAJANPUR, P.S.- MAHISHI, DISTRICT- SAHARSA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kanchan Jha

For the Opposite Party/s : Mr.Meena Singh

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

5 01-09-2022 Heard learned counsel for the petitioners and learned
APP for the State.

The instant application for anticipatory bail has been filed by the petitioners apprehending their arrest in connection with Complaint Case no. 324 of 2020 instituted for the offence under Sections 323, 498A of the Indian Penal Code.

As per allegation in the FIR, due to non-fulfillment of dowry demand of Rs. Fifty thousand, petitioners along with other family members started to abuse and torture the complainant mentally and physically.



It is submitted by learned counsel for the petitioners that petitioner no. 1 is husband of the informant and petitioner nos. 2 and 3 are bhaipur and gotani of the complainant. Petitioner no. 1 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 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 four 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. 4,000/- (four Thousand) in first week of every month commencing from September 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 petitioners, this Court is inclined to enlarge him on bail. The petitioners, above named, in the event of their 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) each with two sureties of the like amount each to the satisfaction of learned J.M. 1st Class, Saharsa in connection with Complaint Case No. 324 of 2020, subject to the conditions as laid down under section 438(2) of the Cr.P.C.

The bail bonds of the petitioners shall be accepted by the learned court below on showing receipt of deposit of Rs. 4,000/- (for the month of September) by the petitioners 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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