

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68052 of 2021

Arising Out of PS. Case No.-54 Year-2020 Thana- SITAMARHI COMPLAINT CASE
District- Sitamarhi

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SAMEER SHASHANK @ SAMIR SHASHANK Son of Dr. Veer Kuvar Singh Resident of Village- Nonahi, P.S.-Parihar, District- Sitamarhi at present as designated post- Assistant Manager, Oriental Bank of Commerce, Branch- West Bengal

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ritu Prabha D/o Ganesh Prasad Resident of Village- Bariyarpur, P.S.- Sitamarhi, Distt- Sitamarhi.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Devendra Kumar, Advocate
For the Opposite Party/s : Mr. APP

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

- 3 26-07-2022 Heard learned counsel for the petitioner, complainant and learned APP for the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Section 498(A) of the Indian Penal Code.

The accusation is of making assault for non-fulfillment of dowry demand.

It is submitted by learned counsel for the petitioner that the petitioner tried his best to resume the conjugal life with the complainant but the complainant herself does not want to live with the petitioner. The petitioner is still ready to keep the



complainant as wife with full dignity and honour. A statement to that effect has been made in para 8 of the petition.

Learned counsel appearing on behalf of the complainant has submitted that petitioner is in habit of making assault with the complainant. Hence, out of fear of life, she does not want to live with the petitioner.

In the alternative, the petitioner is ready to make payment of Rs. 10,000/- per month to the complainant by depositing the same in her bank account by 1st week of every month.

The petitioner undertakes that he shall pay the monthly payment of Rs. 10,000/- of this month i.e. July, 2022 to the complainant before filing of the bail bonds and from August, 2022, he shall continue making payment of Rs. 10,000/- per month by 1st week of every month in the bank account of the complainant.

The learned counsel appearing on behalf of the complainant has accepted the offer of the petitioner and undertakes to provide bank account details of the complainant to the petitioner as early as possible.

Considering the aforesaid facts, let the petitioner, above named in the event of his arrest or surrender before the



court below within a period of four weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Sri Arbind Mishra, Judicial Magistrate, Ist, Sitamarhi/concerned Court in connection with C1-54 of 2020, 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. 10,000/- by the petitioner in the account of the complainant.

The aforesaid payments will be subject to any order passed in matrimonial or maintenance proceedings.

(Sunil Kumar Panwar, J)

Brajesh Kumar/-

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