

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68197 of 2021

Arising Out of PS. Case No.-22 Year-2020 Thana- DANDKHORA District- Katihar

Ram Prakash Uraon, Son of Mongwa Uraon, R/O- Dandkhora, Pantola, P.S.-
Dandkhora, Distt.- Katihar

... .. Petitioner

Versus

1. The State of Bihar.
2. Meena Kumari, Wife of Ram Prakash Uraon, D/o Panchu Uraon, R/o -
Ratwa, P.S.- Rautara, Distt.- Katihar

... .. Opposite Parties

Appearance :

For the Petitioner	:	Mr. Sanjeev Kumar Singh
For the State	:	Mr. Bishweshwar Ram, APP
For O.P. No.2	:	Mr. Bimal Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

4 25-04-2022

Heard learned counsel for the parties.

Learned counsel for the petitioner is permitted to remove defect(s), as pointed out by the office, if any, within a period of four weeks from today.

This application for anticipatory bail arises out of Dandkhora P.S. Case No. 22 of 2020, registered for the offences under Sections 341, 323, 498-A, 504 and 506/34 of the Indian Penal Code and under Section 3/4 of the Dowry Prohibition Act.

There are allegations and counter allegations made by both the parties against each other, which cannot be decided in the present anticipatory bail proceeding.

Considering the aforesaid fact and also the law laid down by the Apex Court in the case of *Arnesh Kumar vs. State*



of Bihar reported in **(2014) 8 SCC 273**, this anticipatory bail application is allowed.

Let the petitioner, above named, in the event of his arrest/surrender within four weeks from today in the Court below, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Katihar, in connection with Dandkhora P.S. Case No. 22 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

It has been informed that opposite party no.2 has filed Maintenance Case No. 128 of 2022 in the Court of learned Principal Judge, Family Court, Katihar.

The Principal Judge, Family Court, Katihar, is directed to dispose of the aforesaid Maintenance Case No. 128 of 2022 within a period of three months from today.

Since the petitioner has knowledge about the Maintenance Case, he is directed to appear in the Maintenance Case.

The Principal Judge, Family Court, Katihar, will not adjourn the case on flimsy grounds and if the petitioner does not cooperate in the proceeding, the Maintenance Case



shall be decided ex parte. While deciding the Maintenance Case, the Family Court will follow the ratio laid down by the Hon'ble Supreme Court in the case of ***Rajnish vs. Neha*** reported in ***(2021) 2 SCC 324***.

With the aforesaid observations and directions, this bail application is allowed.

Let a copy of this order be communicated to the Principal Judge, Family Court, Katihar, through FAX or e-mail forthwith for its compliance.

(Sandeep Kumar, J)

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