

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68350 of 2021

Arising Out of PS. Case No.-405 Year-2020 Thana- BAIRIYA District- West Champaran

SHASIBHUSHAN GIRI @ VIJAY GIRI S/o Amrika Giri R/o Village-
Bairiya Brita Tola, P.S.- Bairiya, District- West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Shashi Devi W/o Shashibhushan Giri @ Vijay Giri, D/o Raghunandan Giri R/o Village- Bairiya Brita Tola, P.S.- Bairiya, District- West Champaran, At present R/o Village- Sabeya Kala, P.S.- Sirisiya O.P., District- West Champaran.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey
For the Opposite Party/s : Mr. Gauri Shankar Gupta

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 28-09-2022 Heard learned counsel for the petitioner, learned counsel for the informant and learned APP for the State.

The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Bairiya P.S. Case No. 405 of 2020 instituted for the offence under Sections 341, 323, 504, 379, 498A/34 of the Indian Penal Code and Section 4 of the Dowry Prohibition Act.

As per allegation in the FIR, due to non-fulfillment of dowry demand of four wheeler, petitioner along with other family members started to abuse and torture the informant mentally and physically and ultimately they ousted her after snatching her belongings.



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 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 Rupees 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 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 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 3rd, Bettiah, West Champaran in connection with Bairiya P.S. Case No. 405 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. 4,000/- (for the month of September) 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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