

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68856 of 2021

Arising Out of PS. Case No.-72 Year-2020 Thana- GAYA KOTWALI District- Gaya

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Mitesh Kumar Prasad Son Of Yogendar Prasad Resident Of Village - Prakash Nagar, Rajendra Prasad Road, P.S.- Bhakti Nagar, District - Jalpaiguri, West Bengal.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Swati Jaiswal Wife of Mitesh Kumar Prasad, Daughter of Digamber Jaiswal Presently resident of Village/Mohalla - Kirani Ghat, P.S. - Kotwali, District - Gaya.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Avinash Kumar Singh
For the Opposite Party/s : Mr. Arun Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 27-09-2022 Heard learned counsel for the petitioner,

informant 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 and Section 3/4 of the Dowry Prohibition Act.

The accusations are of torture, making assault 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 informant but she did not agree to live with the petitioner. The petitioner is still ready to



keep the informant as wife with full dignity and honour.

Learned counsel appearing on behalf of the informant has submitted that torture has been inflicted upon the informant for non-fulfillment of dowry demand. The informant is residing at her parental house and she is on the verge of starvation since the petitioner denied to maintain the informant.

In the alternative, the petitioner is ready to make payment of Rs. 8,000/- as interim maintenance to the informant before filing of the bail bonds.

The petitioner also undertakes to make payment of Rs. 8,000/- per month to the informant by depositing the same in her bank account commencing from the month of September, 2022.

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

Considering the aforestated 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 learned Chief Judicial Magistrate, Gaya in connection with Kotwali P.S. Case No. 72 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. 8,000/- by the petitioner in the account of the informant.

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

(Sunil Kumar Panwar, J)

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