

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69186 of 2021

Arising Out of PS. Case No.-207 Year-2017 Thana- DARBHANGA COMPLAINT CASE
District- Darbhanga

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Phulo Ram Son Of Ram Khelawan Ram Resident Of Village - Ladho, P.S.-
Biraul, District - Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ugranath Mallik
For the Opposite Party/s : Mr.Humayou Ahmad Khan

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 27-09-2022 Heard learned counsel for the petitioner,

complainant and learned APP for the State.

The petitioner is apprehending his arrest in a
complaint case wherein cognizance has been taken for
the offences punishable under Section 498(A) of the
Indian Penal Code.

The accusations are of torture, making assault
and ousting the complainant from her matrimonial house
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 informant but she did not agree to live with the petitioner. The petitioner has retired from Indian Army on 20.09.2020. The petitioner has already filed Matrimonial Case No. 196 of 2017 for dissolution of marriage.

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

In the alternative, the petitioner is ready to make payment of Rs. 7,000/- as interim maintenance to the complainant and her children before filing of the bail bonds.

The petitioner also undertakes to make payment of Rs. 7,000/- per month to the complainant by depositing the same in her bank account commencing



from the month of September, 2022.

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 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 Additional Chief Judicial Magistrate, 1st, Biroul, Darbhanga in connection with Complaint Case No. 2017 of 2017, 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. 7,000/- 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)

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