

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71070 of 2021

Arising Out of PS. Case No.-693 Year-2020 Thana- BARACHATTI District- Gaya

DHARMENDRA PASWAN Son of Shivdhari Paswan Resident of Village-
Bela, P.S.- Mohanpur, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhananjay Kumar Tiwary

For the Opposite Party/s : Mr.Anand Kishore Choudhary

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

5 14-11-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Barachatti (Mohanpur) P.S. Case no. 693 of 2020 instituted for the offence under Sections 342, 323, 324, 307, 498(A), 504/34 of the Indian Penal Code and Section 4 of the Dowry Prohibition Act.

Prosecution case relates to cruelty against the informant by the petitioner. It is further alleged that petitioner has developed extra marital affair with a married lady, namely, Sunita Kumari, who is his co-villager.

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 has submitted that informant had filed a case for maintenance before the Family Court, Gaya bearing Miscellaneous Case No. 156 of 2018, in which an order was pass to pay a monthly amount of Rs. 7,500/- to the informant by the petitioner. It is further submitted by him that petitioner is not complying the said order and till now he has not paid any amount to the informant. Per contra learned counsel for the petitioner has submitted that he is complying the said order and paying regularly an amount of Rs. 7,500/- to the informant.

Petitioner is directed to comply the order of maintainance passed by the Family Court, Gaya. He will pay all the arrear amount, if any, in respect of maintainance.

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 CJM, Gaya in



connection with Barachatti P.S. Case No. 693 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 proof of deposit in respect of maintenance to the informant by the petitioner.

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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