

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67710 of 2019

Arising Out of PS. Case No.-664 Year-2019 Thana- BEGUSARAI COMPLAINT CASE
District- Begusarai

Pradeep Kumar Choudhary @ Pradeep Kumar, Male, aged about 28 years,
son of Shree Moti Lal Prasad Chaudhary, Resident of Village - Bakhri, Near
Salauna Raiwlay Station, P.S.- Bakhri, District- Begusarai

... .. Petitioner

Versus

1. The State of Bihar
2. Anshu Kumari, female, aged about 23 years, wife of Pradeep Kumar Choudhary @ Pradeep Kumar, D/O - Ranjit Chaudhary, Resident of Village - Birpur, P.S.- Birpur, District- Begusarai

... .. Opposite Parties

Appearance :

For the Petitioner/s	:	Mr. Sandip Kumar Gautam, Advocate
For the State	:	Mr. Rana Randhir Singh, APP
For Opp. Party no.2	:	Mr. Pankaj Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

6 18-01-2022 Heard learned counsel for the parties through video conferencing.

This application for anticipatory bail arises out of Complaint Case No. 664 of 2019 for the offence punishable under Sections 120-B, 323, 307, 379, 342, 506 of the Indian Penal Code and under Section 3/4 of the Dowry Prohibition Act.

Both the parties have jointly submitted that the mediation held at District Mediation Centre, Civil Court, Begusarai, has failed though the report is not available.

Considering the fact that there are allegations and counter allegations made by both the parties, which cannot be



decided in the present anticipatory bail proceeding and also the fact that the petitioner is paying Rs.5,000/- per month to the opposite party no.2 as maintenance amount, this bail application is allowed.

Let the petitioner, above named, in the event of his arrest/surrender within eight 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 Judicial Magistrate, 2nd Class, Begusarai, in connection with Complaint Case No. 664 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This is also subject to the condition that the petitioner shall continue to pay the amount of maintenance of Rs.5,000/- per month to the opposite party no.2. In case of any default in making payment of aforesaid amount of maintenance to the opposite party no.2, the bail bonds of the petitioner shall stand cancelled automatically.

If the opposite party no.2 files any Maintenance Case against the petitioner, the same shall be decided by the Family Court, expeditiously in accordance with law. While deciding the Maintenance Case, the Family Court, will consider the ratio



laid down by the Hon’ble Supreme Court in the case of ***Rajnish***
vs. Neha reported in ***(2021) 2 SCC 324***.

(Sandeep Kumar, J)

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