

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69916 of 2019

Arising Out of PS. Case No.-215 Year-2019 Thana- JHAJHA District- Jamui

RAKESH KUMAR Son of Yogendra Prasad Resident of Village - Railway Colony, Qr. No. 231 A, P.S.- Jhajha, District- Jamui

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Annu Kumari D/O- Harendra Sah Presently residing at Village - Beloti, P.S.- Sahpur, District- Bhojpur at Arah

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dipak Kumar

For the Opposite Party/s : Mr.Anish Chandra

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

9 06-07-2022 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 Jhajha P.S. Case No. 215 of 2019 instituted for the offence under Sections 341, 323, 498A, 504, 34 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

As per allegation in the FIR, due to non-fulfillment of dowry demand of Rs. One lakh, petitioner along with other family members started to abuse and torture her mentally and physically.

It is submitted by learned counsel for the petitioner



that petitioner is husband of the informant and he is ready to keep the informant as wife with full dignity and honour.

The aforesaid offer of the petitioner has not been accepted by the informant who denies to go to her matrimonial house and live with her husband. However, she 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 Rupee fifteen thousand per month from the month of July, 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. 15,000/- (Fifteen Thousand) in first week of every month commencing from July 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 SDJM, Jamui in connection with Jhajha P.S. Case No. 215 of 2019, 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. 15,000/- (for the month of July) 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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