

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75383 of 2019

Arising Out of PS. Case No.-994 Year-2018 Thana- BEGUSARAI COMPLAINT CASE
District- Begusarai

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Kundan Kumar Son of Umesh Kumar Pandit Permanent resident of Village- Chhitwara Nijhma, P.S.- Mahua, District- Vaishali, at present resident of A.G. Colony Ward No.- 5, P.S.- Rajeevnagar, District- Patna.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Nitu Kumari Daughter of Arjun Pandit, Wife of Kundan Kumar Resident of Sikandarpur Rajaura, P.S.- Muffasil, District- Begusarai.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Usha Kumari Singh

For the Opposite Party/s : Mr.Harendra Prasad

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

10 22-08-2022 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 498A of the Indian Penal Code and Section 4 of the Dowry Prohibition Act.

The accusation is of torture and making assault 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 complainant but the complainant did not agree to live with the petitioner.

Learned counsel appearing on behalf of the complainant has submitted that petitioner is in habit of making assault to the complainant. The complainant resides at her parental house and she is at the verge of starvation since petitioner is not maintaining her.

In the alternative, the petitioner is ready to pay Rs. 3,000/- as interim maintenance to the complainant before filing of the bail bonds.

The petitioner also undertakes to make payment of Rs. 3,000/- per month to the complainant by depositing the same in her bank account by 1st week of every month from August, 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 Sub-Divisional Judicial Magistrate, Begusarai in connection with Complaint Case No. 994(C) of 2018, 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. 3,000/- 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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