

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12467 of 2023

Arising Out of PS. Case No.-231 Year-2015 Thana- DARBHANGA COMPLAINT CASE
District- Darbhanga

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Anil Kumar, S/O Ram Swarth Sah R/V- Radhour, P.S.- Sursand, District-
Sitamarhi

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Priti Kumari W/O Anil Kumar D/O Ghanshyam Purvey R/V- Basuham, P.S.-
Bahera, District- Darbhanga

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Mr. Yash Singh
For the Opposite Party/s :	Mr. Uday Pratap Singh
	Mr. Rupak Kumar

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 27-06-2023 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

The petitioner seeks bail in anticipation of his arrest in
a case registered for the offences punishable under Section
498(A) of the Indian Penal Code and Section 3/4 of the Dowry
Prohibition Act.

The learned counsel for the petitioner submits that the
petitioner has been falsely implicated in the present case being
husband. It is next submitted that the marriage between the
informant and the petitioner was performed in the Year 2012
and out of the wedlock, a child was born, who presently is
staying with the informant. It is next submitted that petitioner is



willing to pay a monthly maintenance of Rs.20,000/- per month for the upkeep of the informant and the child as the informant is not willing to join the petitioner.

The learned counsel for the informant agrees to the submission made by the learned counsel for the petitioner in presence of the informant as both the petitioner and the informant are present in the Court. The learned counsel for the informant next submits that he will obtain the bank account number of the informant and will whatsapp the same on the whatsapp of the learned counsel for the petitioner and the learned counsel for the petitioner submits that he will forward the bank account number of the informant to the petitioner, so that the petitioner is able to make the payment of maintenance from 10th July, 2023.

The petitioner, who is present in person, submits that he has not met his daughter for the last more than nine years on which, the learned counsel for the informant submits that he never came to meet her, but she does not have any objection in the event, if the petitioner comes to meet his daughter. The jurisdiction in which the Court is presently holding, this Court is not the proper forum for passing any order in this regard, but then, only on the grounds of humanity, the Court directs that the



informant will allow the petitioner to meet his daughter twice in a month, preferably on Sunday.

Considering the submissions made by the learned counsel for the petitioner, the petitioner, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Benipur, Darbhanga in connection with Trial No.288 of 2022 arising out of Complaint Case No.231 of 2015, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

However, it is made clear that the informant would be at liberty to file an application seeking cancellation of the bail of the petitioner in the event if the amount as agreed is not paid to the informant for two consecutive months.

(Satyavrat Verma, J)

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