

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21413 of 2023**

Arising Out of PS. Case No.-247 Year-2022 Thana- KHAGARIA COMPALINT CASE
District- Khagaria

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SHIV PRAKASH KUMAR S/o Shri Naresh Singh Resident of Village-
Khajuriya, P.S.and District-Munger

... .. Petitioner/s

Versus

1. The State of Bihar
2. Priyanka Kumari W/o Shri Shiv Prakash Kumar and D/o Shri Lakshmi Prasad Singh Resident of Village-Khajuriya, P.O.-Ghatbari, P.S. and District-Munger, presently residing at Village-Bhadas Southern, P.S.-Mufasil, District-Khagriya.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prakash Mahto
For the Opposite Party/s : Mr. Arun Kumar

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 3 28-06-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State along with learned counsel for the informant.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 341, 323, 313 and 498A of the Indian Penal Code and Sections 3 and 4 of the Dowry Prohibition Act.

Learned counsel for the petitioner submits that the petitioner being husband has been falsely implicated in the present case, it is next submitted that allegation of demand of dowry and torture is general and omnibus in nature, it is next submitted that though the petitioner will contest the allegation



but then he is willing to maintain the informant and the child who presently is staying with the informant. It is next submitted that the petitioner will pay an amount of Rs. 10,000/- per months by way of maintenance to the informant till the matter is not adjudicated in trial or a Court of competent jurisdiction does not fix the maintenance.

Learned counsel for the informant on instruction accepts the submission of the learned counsel for the petitioner and submits that he will obtain the bank account number of the informant and will Whatsapp the same on the Whatsapp number of the learned counsel for the petitioner.

Learned counsel for the petitioner submits that the moment he will receive the bank account number of the informant, he will forward the same to the petitioner, so that the maintenance, as agreed, shall commence from 10th of July 2023.

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 trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is



pending/successor court in connection with Khagaria Complaint
Case P.S. Case No. 247 (C) of 2022 subject to the conditions as
laid down under Section 438 (2) of the Cr.P.C.

However, the informant would be at liberty to file an
application seeking cancellation of the bail granted to the
petitioner in the event the petitioner for two consecutive months
does not deposit the amount in the bank as agreed before this
Court.

(Satyavrat Verma, J)

HarshPandey/-

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