

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18974 of 2023

Arising Out of PS. Case No.-3 Year-2016 Thana- MAHILA PS District- Khagaria

PHOOL KUMAR @ ASHISH KUMAR SON OF LATE JAGDEV PRASAD
SAH R/O VILLAGE- BARHARA, P.S.- MUFFASIL, DISTRICT- KHA-
GARIA

... .. Petitioner/s

Versus

1. The State of Bihar
2. SARITA KUAMRI WIFE OF PHOOL KUMAR @ ASHISH KUMAR, D/O
HARERAM SAH R/O VILLAGE- DHUSMURI BISHANPUR, P.S.- MUF-
FASIL, DISTRICT- KHAGARIA

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Praveen Kumar Agrawal
For the Opposite Party/s	:	Mr.Ramesh Chandra

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 10-04-2023 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

The petitioner has prayed for bail in a case registered
for the offence punishable under section 498(A) of the Indian
Penal Code and section 3/4 of the Dowry Act.

As per allegation in the FIR, petitioner along with his
family members has tortured in various ways to the informant
due to non-fulfillment of further dowry demand and finally they
ousted her after snatching her belongings from her matrimonial
home.

Learned counsel appearing on behalf of the petitioner
has submitted that petitioner is husband of the informant and has



been falsely implicated in this case. He has neither demanded any thing from the informant nor tortured his wife ever before. In fact, petitioner is still ready to keep his wife with full honour and dignity as asserted in para 14 of the petition. Bail bond of the petitioner was canceled on 3.12.2022 and Petitioner is languishing in judicial custody since 5.1.2023.

Learned counsel for the informant prays for some maintenance for survival of the informant as she is a housewife and she is unable to maintain herself.

In the alternative, learned counsel appearing on behalf of the petitioner, on instructions, submits that petitioner is ready to give Rupee six thousand per month from this month, 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. 6,000/- (Six Thousand) in every month commencing from April as maintenance in the account furnished by the informant.

Having heard learned counsel for the parties and con-



sidering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Khagaria in connection with Mahila P.S. Case No. 3 of 2016.

The aforesaid payment will be subject to any order passed in the maintenance case for final settlement.

However, trial court is directed to make all efforts to settle the dispute between the parties.

(Sunil Kumar Panwar, J)

sushma/-

U			
---	--	--	--

