

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32654 of 2022

Arising Out of PS. Case No.-1030 Year-2020 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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DEEPAK PRASAD CHAURASIA SON OF KAMESHWAR PRASAD
CHAURASIA R/O VILLAGE- NAYAGAON, P.S.- SHYAMPUR
BHATHAN, DISTRICT- SHEOHAR

... .. Petitioner/s

Versus

1. The State of Bihar
2. PRIYANKA DEVI WIFE OF DEEPAK PRASAD CHAURASIA, D/O-
LATE RAJENDRA BHAGAT AT PESENT RESIDENT OF VILLAGE-
MADHUAHA BRIT, P.S.- RAJEPUR, DISTRICT- EAST CHAMPARAN

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Hans Lal Kumar, Advocate
For the Opposite Party/s : Mr. Renu Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

9 27-06-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State alongwith learned counsel for the informant.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 323, 498(A) and 504/34 of the Indian Penal Code and Sections 3/4 of the Dowry Prohibition Act.

The petitioner and the informant in compliance of the order dated 22.06.2023 are physically present before this Court.

Learned counsel for the petitioner submits that petitioner being husband has been falsely implicated in the present case. It is next submitted that the matter was referred for



mediation but the same failed as the informant after one appearance never appeared before the mediator, it is further submitted that based on instruction that petitioner still is willing to maintain the informant for which he will pay a maintenance amount of Rs. 5000/- per month in her bank account.

The learned counsel for the informant based on instruction agrees to the submission made by the learned counsel for the petitioner and submits that he will message the bank account No. of the informant on the WhatsApp No. of the learned counsel for the petitioner and the learned counsel for the petitioner undertakes to forward the same to the petitioner so that the maintenance amount as agreed commences from 10th July 2023.

The learned counsel for the petitioner next submits that the payment of the maintenance amount shall be made till the matter is finally adjudicated in the trial or a court of competent jurisdiction fixes the maintenance.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

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 Complaint Case No. C-1030 of 2020 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 bail of the petitioner in the event, petitioner for two consecutive months does not deposit the amount as agreed, in her account.

(Satyavrat Verma, J)

Adnan/-

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