

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34104 of 2022

Arising Out of PS. Case No.-428 Year-2021 Thana- BARBIGHA District- Sheikhpura

DEEPAK KUMAR S/o Shree Uday Bhushan Prasad Singh Permanent R/o
Village- Raikar, P.S.- Varsaliganj, District- Nawada, Bihar

... .. Petitioner/s

Versus

1. The State of Bihar
2. Neha Kumari W/o Deepak Kumar Village- Raikar, P.S.- Varsaliganj,
District- Nawada, Bihar, at present residing at Village- Maldah, P.S.-
Barbigha, District- Shekhpura, Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Bipin Bihari, Advocate
For the Opposite Party/s	:	Mr. Jitendra Kumar Singh, APP
For the informant	:	Mr. Sunil Kumar Thakur, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

4 30-01-2023 Heard learned counsel for the petitioner and the
learned APP for the State as also the informant.

The petitioner apprehends his arrest in connection
with Barbigha P.S. Case No.428 of 2021 instituted under
Sections 341, 323,498A and 34 of the Indian Penal Code and ³/₄
Dowry Prohibition Act.

At the outset, learned counsel for the petitioner
submits that the divorce petition was filed on 15.11.2019 and
upon receipt of the notice etc. the present FIR was filed two
years later on 13.12.2021.

Further, it has been submitted by him that till an order
is passed in a Divorce suit, she is the legally wedded wife of



him and as such he wants to make payments for her maintenance till any order is passed by the Family Court after which the order may merge.

With the consent of parties, they have decided that the maintenance of Rs.12,000/- per month will be paid to the lady by 15th of every month and failure to do so the informant shall be entitled to take steps for cancellation of the bail.

Learned counsel for the informant will be providing the Bank account details of the lady to the learned counsel for the petitioner at an earliest.

Taking into account the fact that the case been lodged against the petitioner and ultimately he will have to face the trial, he is preparing for competitive exam and putting him behind bar would not be a proper thing, this Court is inclined to grant him privilege of anticipatory bail subject to the aforesaid conditions of payment of Rs.12,000/- per month beginning February, 2023 by 15th of every month.

Let the petitioner be released on bail, in the event of his arrest or surrender before the Sub-ordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each in connection with Barbigha



P.S. Case No.428 of 2021 to the satisfaction of learned Chief
Judicial Magistrate, Sheikhpura, subject to the conditions as laid
down under Section 438(2) of the Cr.P.C.

(Rajiv Roy, J)

Prakash Narayan /-

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