

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50208 of 2023

Arising Out of PS. Case No.-167 Year-2022 Thana- BEGUSARAI COMPLAINT CASE
District- Begusarai

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SANJEET KUMAR SON OF RAM NANDAN MAHTO RESIDENT OF
VILLAGE -CHHAURAH, POLICE STATION- KHODAWANPUR,
DISTRICT- BEGUSARAI

... .. Petitioner/s

Versus

1. The State of Bihar
2. NISHA KUMARI DAUGHTER OF CHANDRA SHEKHAR MAHTO
RESIDENT OF VILLAGE- MAISANA, PS- GADPURA, DISTT-
BEGUSARAI

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Yogesh Kumar
For the Opposite Party/s	:	Mrs.Veena Kumari Jaiswal
For the informant	:	Mr. Sarvottam Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 01-11-2023

1. Heard the parties.

2. The petitioner apprehends his arrest in connection
with Complaint Case No. 167C of 2022 dated 25-04-2023
registered under Section 498(A) of the I.P.C.

3. As per the complaint petition the marriage of the
opposite party no. 2 was solemnized with the petitioner on
23/04/2017. After marriage, petitioner as well as in-laws started
demanding dowry by way of Bullet motorcycle and due to non
fulfillment of demand, the complainant / opposite party no. 2
was tortured, assaulted and abused. On 08/11/2022 all the
accused persons snatched the ornaments of the opposite party



no. 2 and tried to burn her.

4. Learned counsel for the petitioner submits that petitioner has not committed any offence in the manner alleged and the fact of the matter is that petitioner is the only son of his parents and the complainant does not want to live with the petitioner along with her in-laws.

5. On the other hand, learned counsel for the complainant as well as state opposed the prayer for anticipatory bail and submits that petitioner is in Police and has been using his influence upon the complainant and other witnesses. He further submits that a complaint case has also been lodged by the father-in-law of the complainant against the complainant and her father. He further submits that a sum of Rs. 6,000/- has been awarded as maintenance by the learned Family Court, Begusarai in Maintenance Case No. 14 of 2023 but the petitioner is not paying the said amount and up till date Rs. 27,500/- has fallen due as arrear.

6. Having heard learned counsel for the parties, taking into consideration the rival submissions advanced by the parties and the fact that this is a dispute between husband and wife, accordingly, I am inclined to grant anticipatory bail to the petitioner subject to payment of arrears of maintenance amount



to the tune of Rs. 27,500/- with a further condition that the petitioner shall continue to pay the maintenance amount to the complainant / opposite party no. 2 as fixed by the Family Court every month positively.

7. Let the petitioner, above named, be released on anticipatory bail in the event of arrest or surrender before the court below within a period of six weeks from today on furnishing bail bond of Rs. 10000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of Addl. Chief Judicial Magistrate, Manjhaul, Begusarai in connection with Complaint Case No. 167C of 2022 subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

8. The arrears of maintenance amount shall be transferred by the petitioner in the bank account of the opposite party no. 2, the account number of which has already been given by the complainant to the petitioner before the Family Court, Begusarai. The petitioner shall produce the proof of transfer of the arrears amount in the bank account of the opposite party no. 2 at the time of furnishing bail bond.

praful/-

(Anil Kumar Sinha, J)

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