

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59681 of 2023

Arising Out of PS. Case No.-820 Year-2022 Thana- SASARAM NAGAR District- Rohtas

AVINASH KUMAR @ BITTU Son of Shiv Murat Singh R/o vill - Lakhanu
Sarai @ Safullaganj, P.S. - Sasaram (T), distt. - Rohtas

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mithilesh Kumar Singh

For the Opposite Party/s : Mr.Ramesh Chandra

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 14-09-2023 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 498(A), 406, 307, 308, 323/34 of the Indian Penal Code and Section 3/4 of the D.P. Act.

3. According to complaint case, the petitioner is alleged to have assaulted the complainant and tortured her mentally and physically due to non-fulfillment of dowry demand.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has falsely been implicated in this case as he is husband of the complainant. He is languishing in judicial custody 28.6.2023.

5. Learned Counsel for the complainant prayed for



some maintenance for survival of the complainant as she is a housewife and she is not able to maintain herself.

6. In alternative, learned counsel appearing on behalf of the petitioner, on instructions, submits that petitioner is ready to give rupee **Three Thousand (3,000/-)** per month from this month, subject to furnishing bank account number by the informant to the petitioner.

7. In the changed circumstance, learned counsel for the complainant admits that he shall provide bank account number of the complainant 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 3,000/ (Three Thousand)** in every month commencing from **September, 2023** as maintenance in the account furnished by the informant.

8. Considering 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 released on bail in connection with Sasaram Town P.S. Case No. 820 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Sasaram at Rohtas.

9. The bail bonds of the petitioner shall be accepted by the learned court below on showing receipt of deposit of **Rs.**



3,000/- (for the month of September) by the petitioner in the account of the informant.

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

(Sunil Kumar Panwar, J)

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