

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73187 of 2023

Arising Out of PS. Case No.-411 Year-2023 Thana- GOVINDGANJ District- East
Champaran

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Satyendra Sah Son Of Pappu Sah R/O Village- Radhiya, P.S.- Govindganj,
District- East Champaran

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Manju Devi Wife Of Satendra Sah R/O Village- Radhiya, P.S.- Govindganj,
District- East Champaran

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Alka Singh
For the Opposite Party/s : Mr.Suresh Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 09-11-2023 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
instituted for the offence under Sections 498A, 494, 341, 323,
307/34 of the Indian Penal Code.

3. As per prosecution case, the informant was married
with the petitioner in the year 2012 and she went to her in-law's
house, where she lived peacefully. Thereafter, it is alleged that



she was given physical tortured and assaulted by her in-law's thereafter *panchayati* was held between the parties. After *panchayati* the accused persons keep the informant properly for sometime due to fear and they again started previous behavior and tried to kill the informant many times. It is further alleged that when the informant reported about this matter to the police station, the petitioner became aggressive and started assaulting and abused her and they will say, they will not keep her and also her daughter then ousted her after assaulting then the informant came to her *Nahiyar*.

4. It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case. He has committed no offence. Petitioner is the husband of the informant and he neither tortured the informant, nor demanded dowry from her. Petitioner is ready to keep his wife (informant) with full dignity and honour. Petitioner has got no criminal antecedent as stated in para-3 of the bail petition. He is languishing in judicial custody since 17.07.2023.

5. It is submitted by learned counsel for the informant that informant seeks some maintenance for her survival as she is a housewife and she is unable to maintain herself.

6. Learned counsel appearing on behalf of the



petitioner, on instructions, submits that petitioner is ready to give Rs. 5,000/- (five thousand only) per month as maintenance commencing from this month, subject to furnishing bank account number by the informant to the petitioner.

7. Learned counsel for the informant is directed to furnish account number of the informant to the petitioner within a period of one week from today.

8. On receipt of the bank account number of the informant, the petitioner shall deposit Rs. five thousand (Rs. 5,000/-) in every month commencing from November, 2023 as maintenance in the account furnished by the informant.

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

10. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, 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 C.J.M., Motihari (East Champaran) in connection with Govindganj P.S. Case No. 411 of 2023.

11. The bail bond of the petitioner shall be accepted



by the learned Court below on showing receipt of deposit of Rs. 5,000/- (Five thousand) by the petitioner in the account of informant as maintenance of this month i.e., November, 2023.

12. The informant will be at liberty to move for cancellation of bail of the petitioner, if the petitioner fails to give monthly maintenance in her account.

(Sunil Kumar Panwar, J)

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