

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15042 of 2024

Arising Out of PS. Case No.-6771 Year-2022 Thana- PATNA COMPLAINT CASE District-
Patna

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Abhishek Kumar Singh, S/o Arun Kumar Singh, R/o Mohalla - Sarvodaya
Nagar, Near Pramod Kumar Sharma, Ex-MLA, P.S. - Town, Dist. - Begusarai-
851101

... .. Petitioner

Versus

1. The State of Bihar
2. Neeti Sharma, W/o Sri Abhishek Kumar Singh, D/o Sri Jay Shanker Prasad
Residing in Rental Flat – 140, Lohia Nagar, Kankarbagh Colony, P.S. -
Kankarbagh, Town and Dist. - Patna

... .. Opposite Parties

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Appearance :

For the Petitioner/s	:	Mr. Bajarangi Lal, Advocate
For the State	:	Mr. Ramchandra Sahni, APP
For the Opposite Party No.2:		Mr. Kaushal Kishore, Advocate
		Mr. Gaurav Kishore, Advocate
		Mr. Sahil Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 12-03-2024 Heard learned counsel appearing on behalf of the

petitioner and learned A.P.P. for the State duly assisted by

learned counsel for the complainant/opposite party no.2.

2. The accused/petitioner is named in the

complaint and apprehending his arrest in connection with

Complaint Case No.6771 (C) of 2022 in which cognizance

has been taken for the offences punishable under Section

498-A, 323, 324 of the Indian Penal Code and sections 3

and 4 of the Dowry Prohibition Act.



3. The allegation against the petitioner is to commit cruelty against O.P. No. 2/wife along with other co-accused persons/family members and demanded dowry as raised for Rs.5,00,000/-.

4. Learned counsel appearing on behalf of the petitioner submitted that petitioner is desirous to lead his conjugal life with O.P. No. 2/wife full honour and dignity. Learned counsel submits that petitioner has been falsely implicated with present case. The allegation regarding dowry demand and cruelty appears general and omnibus and, moreover, as a good gesture, he is ready to pay Rs. 4,000/- as an *ad-interim* maintenance amount to O.P. No. 2/wife without fail before 7th day of every english calendar month, till disposal of the present case before learned Trial Court.

5. Learned A.P.P. for the State duly assisted by learned counsel for the complainant/opposite party no.2 opposes the prayer for bail of the petitioner.

6. In view of the facts and circumstances, as mentioned above and by taking note of the fact as petitioner is ready to pay *ad-interim* maintenance amount of Rs.



4,000/- to O.P. No. 2/wife, accordingly, the petitioner above named, in the event of his arrest or surrender before the learned trial Court within a period of four weeks, is directed to be released on bail, furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Patna in connection with Complaint Case No.6771 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. with further conditions :-

(i) Petitioner shall pay Rs. 4,000/- as an *ad-interim* maintenance amount to O.P. No. 2/wife on or before 7th day of English calendar month. Payment for the month of **March** be made in cash at the time of furnishing bail bond, whereas maintenance amount from the month of **April** onwards be paid through bank account of O.P. No. 2/wife, if not available, same be opened by petitioner on his expenditure, if any.

(ii) If petitioner fails to pay *ad-interim* maintenance for two consecutive months, the bail bond of petitioner shall be



cancelled by the learned Trial Court, itself,
if pressed by O.P. No. 2/wife.

(iii) Aforesaid conditions shall remain
operational till finding of Family Court.
Amount paid shall be adjusted
accordingly.

(Chandra Shekhar Jha, J.)

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