

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43413 of 2024

Arising Out of PS. Case No.-440 Year-2022 Thana- ROHTAS COMPLAINT CASE District-
Rohtas

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AKHILESHWAR DWIVEDI SON OF RAMESH CHANDRA DWIVEDI
R/O- H.NO.- 801, STREET NO. 32, CHANDEN VIHAR, SANT NAGAR,
BURARI, P..S- BURARI, DISTT.- NORTH DELHI

... .. Petitioner/s

Versus

1. The State of Bihar
2. ANUPRIYA KUMARI W/O- AKHILESHWAR DWIVEDI AND D/O-
VINAY DUBEY R/O- VILLAGE- KARUP, P.S.- KARAKAT, DISTT-
ROHTAS (BIHAR)

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gopal Swaroop Dubey, Advocate
For the Opposite Party/s : Mr. Meena Singh, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 05-08-2024 Heard the parties.

2. The petitioner apprehends his arrest in connection
with Complaint Case No. 977C of 2021 for the offences
punishable under Sections 323 , 504 and 498A of the Indian
Penal Code and 3/ 4 of the D. P Act.

3 . There is allegation against the petitioner of
matrimonial cruelty and demand of dowry.

4. Learned counsel for the petitioner denies the
prosecution case and by way of filing supplementary affidavit
he submits that petitioner tried his best to resolve the issue but
when he failed to do so he filed HMA Case No. 624 of 2022 for



divorce under Section 13(1) (i-a) of the The Hindu Marriage Act before the learned Principal Judge , Family Court, Tishazari Court, New Delhi (Central) on 31.03.2022 in which complainant has appeared and filed her written statement on 20.02.2023 . It is further submitted that pursuant to the order passed by learned Judge , Family Court, Tishazari Court, New Delhi in HMA Case No. 624 of 2022 , i.e Annexure P -4 petitioner -4 to the bail petition , the petitioner is paying Rs. 5500/- (fifty five hundred) per month as maintenance to opposite party no. 2 and petitioner undertakes to pay the same regularly .

5 . Learned counsel appearing on behalf of the State opposed the prayer for bail.

6. Considering the fact that petitioner is paying Rs. 5500/- (fifty five hundred) per month to the opposite party no. 2 and undertakes to pay the same regularly, the prayer for anticipatory bail of petitioner is allowed.

7. Accordingly, in the event of arrest or surrender before the learned court below within a period of six weeks from today, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Judicial Magistrate First Class, Bikramganj



(Rohtas) in connection with Complaint Case No. 440 of 2022 ,
subject to the conditions as laid down under Section 438(2) of
the Cr.P.C.

(Prabhat Kumar Singh, J)

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