

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71204 of 2023

Arising Out of PS. Case No.-221 Year-2023 Thana- BUXAR District- Buxar

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Anand Kumar Son Of Madan Sah R/O Pandey Patti, P.S.- Buxar
(MUFFASSIL), Dist.- Buxar

... .. Petitioner

Versus

1. The State of Bihar
2. Shivangi Kumari, daughter of Mahavir Prasad Sah, resident of Golambar
Sarimpur, Buxar, P.S. - Buxar (Town), District – Buxar.

... .. Opposite Party

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Appearance :

For the Petitioner/s	:	Mr.Ajit Kumar, Advocate Mr.Dinkar Kumar, Advocate
For the Opposite Party/s :		Mr.Ramesh Chandra, APP Mr.Rajiv Ranjan Kr.Pandey, Advocate Mr.Kritya Nand Jha, Advocate

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

4 29-02-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The accused/petitioner, named in the F.I.R. is apprehending his arrest in connection with Buxar (Town) P.S. Case No. 221 of 2023 registered for the offences punishable under Section 323, 341, 504, 498-A, 34 of the Indian Penal Code and 3/4 of the Dowry Prohibition Act. The petitioner has got no criminal antecedent as stated in paragraph ‘3’ of the application.

3. The allegation against the petitioner is to commit cruelty against O.P. No. 2/wife and demanded dowry.

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 and her daughter aged about three years with full honour and dignity. Learned counsel submits that petitioner has been falsely implicated with present case, allegation regarding dowry demand and cruelty appears general and omnibus and, moreover, as a good gesture he is ready to pay Rs. 2,500/- as an ad-interim maintenance amount to O.P. No. 2/wife and her daughter 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 has opposed the prayer for anticipatory bail of the accused/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. 2,500/- to O.P. No. 2/wife and daughter, accordingly, the accused/petitioner above named, in the event of his arrest/surrender within a period of four weeks from today, is directed to be enlarged on bail on furnishing of bail bond of Rs.10,000/- (ten thousand only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Buxar, in connection with Buxar (Town) P.S. Case



No. 221 of 2023, subject to the conditions as laid down under
Section 438 (2) of the Cr.P.C. with further conditions :-

(i) Petitioner shall pay Rs. 2,500/- 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 February be made in cash at the time of furnishing bail bond, whereas maintenance amount from the month of March 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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