

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80413 of 2023**

Arising Out of PS. Case No.-2427 Year-2018 Thana- GOPALGANJ COMPLAINT CASE
District- Gopalganj

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HARISH CHANDRA SINGH SON OF ADALAT SINGH R/O VILLAGE-
SAHEBA CHAK, P.S.- MIRGANJ, DISTRICT- GOPALGANJ

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Jyoti Devi Wife Of Harish Chandra Singh R/O Village- Saheba Chak, P.S.-
Mirganj, District- Gopalganj, At Present Residing At Village- Emilia, P.S.-
Bhore, District- Gopalganj

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Alka Panday
For the Opposite Party/s : Mr.Lakshmi Kant Sharma

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

5 20-03-2024 Heard learned counsel for the petitioner, learned
counsel for the complainant and learned APP for the State.

Earlier, anticipatory bail application of the petitioner
was rejected vide order dated 18.07.2022 in Cr. Misc. No.
61606 of 2019.

The petitioner has prayed for regular bail in this
case registered for the offence punishable under sections
498A 494/34 of the I.P.C.

The allegation against the petitioner is that due to
non-fulfillment of dowry demand he used to torture and
assault the complainant mentally and physically. It is further



alleged that she was also ousted by the petitioner from her matrimonial house.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent has committed no offence. He has falsely been implicated in this case due to family dispute.

Learned counsel for the complainant prayed for some maintenance for survival of the complainant and her child as she is a housewife and she is not able to maintain their self.

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

In the changed circumstances, 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 complainant, the petitioner shall deposit **Rs. 3,000/-** in every month commencing from this month (i.e. March, 2024) as maintenance in the account furnished by the complainant.



Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as judicial custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Complaint Case No. 2427 of 2018 Trial No. 1392 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 A.C.J.M., XVI, Gopalganj.

The bail bond of the petitioner shall be accepted by the learned Court below on showing receipt of deposit of Rs. **3,000/- (for the month of March, 2024)** by the petitioner in the account of the complainant.

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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