

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79245 of 2023

Arising Out of PS. Case No.-1902 Year-2022 Thana- MUZFFARPUR COMPLAINT CASE
District- Muzaffarpur

Sanjay Kumar @ Sanjay Kumar Sharma Son Of Late Yugal Sharma R/O
Village- Ahiyapur, P.S.- Sahebganj, Dist.- Muzaffarpur

... .. Petitioner

Versus

1. The State Of Bihar Patna
 2. Babbi Kumari W/O Sanjay Kumar @ Sanjay Kumar Sharma, D/O Dukhan
Sharma R/O Village- Pokharaira, P.S.- Saraiya, Dist.- Muzaffarpur
- Opposite Party

Appearance :

For the Petitioner/s : Mr.Hans Lal Kumar, Advocate
For the Opposite Party/s : Ms.Asha Devi, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

4 07-03-2024 **1.** 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.

2. The accused/petitioner is apprehending his

arrest in connection with Complaint Case No. 1902 of 2022
(T.R. No. 3929/2023) registered for the offences punishable
under Section 498-A, 406, 341, 323 & 504 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. 3500/- 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 duly assisted by learned counsel for the informant opposes the prayer for anticipatory 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. 3500/- to O.P. No. 2/wife, accordingly, the petitioner above named, in the event of his arrest or surrender before the



learned Court below within a period of four weeks from today, is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M. (West), Muzaffarpur in connection with Complaint Case No. 1902 of 2022 (T.R. No. 3929/2023), subject to the conditions as laid down under Section 438(2) of the Cr.P.C. with further conditions :-

*(i) Petitioner shall pay Rs. 3500/- 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.)

Rajeev/-

U		T	
---	--	---	--

