

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30197 of 2024

Arising Out of PS. Case No.-2258 Year-2020 Thana- VAISALI COMPLAINT CASE
District- Vaishali

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Ashutosh Vibhakar Son of Late Santosh Prasad Singh Resident of Mohalla - Mahbub Khan Tola, Kali Mandir ke Pas, Aashram Road, P.S.- Khajanchi Hat, District - Purnea.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Udit Lakshmi Daughter of Manoj Kumar Singh Resident of (Sasural) address - Mahbub Khan Tola, P.S.- Khajanchi Hat, District - Purnea, Present (Naihari) Address - Utari Sahi Colony, P.S.- Nagar Hajipur, District - Vaishali.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shivnandan Bharti, Adv
For the Opposite Party/s : Mr. Madan Kumar, APP

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CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

10 25-04-2025 Heard learned counsel for the petitioner and the State.

2. Petitioner apprehends his arrest in connection with Complaint Case No. 2258 of 2020 registered for the offences punishable under Sections 498A of the Indian Penal Code and section 3/4 of the D.P. Act.

3. The petitioner is husband of the complainant. The allegation in the complaint is demand of dowry and torture.

4. At this stage, learned counsel for the petitioner submits that the maintenance amount of Rs. 15,000/- ordered in the maintenance case is to be given to the daughter of the



petitioner as well as the complainant. It is now being complied with by the petitioner and the same would be evident from the 3rd supplementary affidavit filed by the petitioner bringing on record his undertaking before the Principal Judge, Family court, Vaishali at Hajipur dated 22.11.2024.

5. The learned counsel for opposite party no. 2 however, still opposes the prayer for anticipatory bail on the ground that the wife had been tortured and ousted from the matrimonial house.

6. Taking into consideration the fact that the petitioner is husband and he is abiding by the maintenance order passed by the family court and is also ready to abide by undertaking given by him before the family court, I am inclined to grant privilege of anticipatory bail to the petitioner. Accordingly, in the event of his arrest/ surrender within a period of four weeks from today the petitioner shall be released on bail on furnishing bail bonds of Rs 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate 1 class, Vaishali at Hajipur in Complaint Case No. 2258 of 2020, subject to condition as laid down under Section 438(2) of the Cr.P.C and subject to the further condition that the petitioner shall co-operate in



investigation/ trial.

7. It is expected that the petitioner would continue to pay the maintenance amount as agreed by him.

(Soni Shrivastava, J)

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