

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36030 of 2024

Arising Out of PS. Case No.-75 Year-2023 Thana- NAURANGIA District- West Champaran

Upendra Bin @ Upendra Kumar SON OF Akalu Bin R/O Village- Sirsiya
Jarlahaiya, Police Station- Naurangia, District West Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Aarti Devi Wife Of Upendra Bin @ Upendra Kumar, D/O Of Dhruv Bin
R/O Village- Andhrabar, P.S.- Naurangia, Dist- West Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Kr Singh No. 1, Adv.

For the Opposite Party/s : Mr. Madan Kumar, APP (In charge)

CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH
ORAL ORDER

8 18-03-2025 In pursuance to the earlier order dated 17.03.2025,

both the parties appeared with their respective counsel in

Chambers proceeding.

2. Heard the parties.

3. The petitioner is apprehending his arrest in
connection with Naurangia P. S. Case No. 75 of 2023 for the
offence under Sections 498A, 341, 323, 447, 307, 504, 506 and
34 of the Indian Penal Code and 3/4 of the Dowry Prohibition
Act.

4. It is a case of matrimonial dispute between the
parties. Petitioner is the husband of opposite party no. 2
(informant). Allegation against the petitioner and his family



members is of torturing, assaulting and ousting the complainant from her matrimonial house due to non-fulfillment of dowry demand.

5. Learned counsel for the petitioner submits that petitioner is quite innocent, committed no offence and has been falsely implicated in this case. There is general and omnibus allegation against the petitioner for dowry demand and torture. Petitioner has never demanded any dowry from the complainant and for that he never tortured her. He further submits that petitioner is ready to keep her with full dignity and regard without any grievance.

6. Learned Additional Public Prosecutor opposes the prayer of anticipatory bail.

7. During course of argument learned counsel for the petitioner submits that petitioner is ready to pay Rs. 3,000/- (three thousand) per month as maintenance for his wife (informant) to show his bona-fide conduct. The above amount of maintenance will be adjusted in any future allowances awarded by any competent Court. He further submits that two months advance maintenance amount will be paid at the time of filing bail bond. Regarding the aforesaid payment, petitioner will give an undertaking in the Court below at the time of filing



bail bond. Opposite party no. 2 shall furnish her account details in the Trail Court so that maintenance amount can be deposited in her account by the petitioner.

8. Keeping in view the aforesaid facts, let the petitioner be enlarged on anticipatory bail in the event of arrest or surrender within a period of four weeks from the receipt/production of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, 2nd, Bagaha, West Champara in connection with Naurangia P. S. Case No. 75 of 2023 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(S. B. Pd. Singh, J)

Prabhakar/-

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