

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32952 of 2019

Arising Out of PS. Case No.-32 Year-2018 Thana- BEGUSARAI COMPLAINT CASE
District- Begusarai

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KUNDAN DAS @ KUNDAN KUMAR DAS @ KUNDAN KUMAR Son of
Sitaram Das Resident of Village - Dhabauli, P.S.- Muffasil (Lakho O.P.),
District – Begusarai ... Petitioner

Versus

1. The State Of Bihar
2. Bobby Kumari Wife of Kundan Das @ Kundan Kumar Das @ Kundan Kumar Resident of Village - Dhabauli, P.S.- Muffasil (Lakho O.P.) at present daughter of Late Naresh Das, Resident of Village - Ajhaur, P.S.- Neema Chandpura, Ward No. 9, District – Begusarai Opposite Parties

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Appearance :

For the Petitioner	:	Mr.Ram Sumiran Rai, Advocate
For the State	:	Mr.Akshay Lal Pandit, Addl Public Prosecutor
For the opp.party no.2	:	Mr. Pankaj Kumar Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 11-09-2019 Heard learned counsel for the petitioner, the State and
opposite party no.2.

Petitioner, who happens to be the husband of the
opposite party no.2, apprehends his arrest in a case registered
for offence under sections 498A, 307, 506 and 379 of the Indian
Penal Code as well as under sections 3 of the Dowry
Prohibition Act, on the allegation of demand of dowry and
committing torture on her with the aid of family members due to
non-fulfilment of dowry demand. Petitioner even ousted her
from his house.

Learned counsel for the petitioner submits that the



allegations levelled against him are false and baseless and they are general and omnibus in nature. He further submits that the petitioner is ready to keep opposite party no.2 with full dignity and safety.

Learned counsel appearing for the opposite party no.2 opposes the prayer for bail submitting that there is allegation against the petitioner that he along with his family members repeatedly demanded dowry and committed torture on opposite party no.2 on account of her non-fulfilment of dowry demand. He further submits that the petitioner, being husband of opposite party no.2, may be directed to pay Rs.3,500/-per month to opposite party no.2 as maintenance money, subject to any order to be passed in the matrimonial case in future, which is not disputed by learned counsel for the petitioner.

In view of the aforesaid submissions, let the petitioner Kundan Das @ Kundan Kumar Das @ Kundan Kumar be released on bail in the event of his arrest/surrender within six weeks from today, on furnishing bail bond of Rs.10,000/- with two sureties of the like amount each to the satisfaction of the Sub Divisional Judicial Magistrate, Begusarai in Complainant Case No. 32C of 2018 on the following conditions:-

As agreed by the parties, petitioner would pay



Rs.3,500/- per month to the opposite party no.2 as maintenance amount from October, 2019 by depositing the same in her Savings bank account by second week of every succeeding month, subject to any order to be passed in the matrimonial case in future. Opposite party no.2 would file an affidavit in the court below within three weeks mentioning her Savings bank account number for its communication to the petitioner so that he may credit the aforesaid maintenance amount as per the direction of this order. In case of default of payment of the aforesaid maintenance amount for three consecutive months, opposite party no.2 will be at liberty to file application for cancellation of the bail of the petitioner.

Parties would ensure their appearance in the case on each and every date fixed by the learned Family Court. The present order, in no way, will preclude the parties to resolve the issue otherwise.

(Prabhat Kumar Singh, J)

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