

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.59465 of 2019**

Arising Out of PS. Case No.-2615 Year-2018 Thana-  
PATNA COMPLAINT CASE District- Patna

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Anand Kumar Son of Raj Kumar Chaudhary Resident of Village-Flat No.D2A  
Sidharth Nagar Baily Road, P.S-Sastrinagar, District-Patna. Permanent  
Resident of Village-Dhatar Darwaja Ward No.10, P.S.-Daudnagar, District-  
Aurangabad ... Petitioner

Versus

1. The State of Bihar
2. Premlata W/o Anand Kumar S/o Murli Dhar Chaudhary Resident of  
Chandraphul Apartment, Flat No. 2E, Salimpur Ahra Lane No.2, P.S.-  
Gandhi Maidan, District-Patna ... .. Opposite Parties

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**Appearance :**

For the Petitioner : Mr. Satrudhan Kumar, Advocate  
For the State : Mr. Pawan Kumar Chaurasia, Addl Public Prosecutor  
For opposite party no.2 : Mr. Ram Prawesh Kumar, Advocate

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH**  
**ORAL ORDER**

5      05-02-2020                      Heard learned counsel for the petitioner, the State and  
the complainant/ opposite party no.2.

Petitioner, who happens to be the husband of opposite  
party no.2, apprehends his arrest in a case registered for the  
offence under section 498A of the Indian Penal Code and  
section 4 of the Dowry Prohibition Act.

Mediator's report dated 4.12.2019 indicates that the  
parties appeared before it for settlement of the dispute, but the  
same did not materialize.

Learned counsel for the petitioner submits that the  
petitioner is ready to keep opposite party no.2 with dignity and  
care, to which opposite party no.2 submits that she does not  
want to live with him because of his violent behaviour.  
However, at this juncture, the petitioner is ready to give  
maintenance amount of Rs.5,000/- (five thousand) per month,  
starting from this month, to opposite party no.2.

In view of the undertaking of learned counsel  
appearing for the petitioner that the petitioner is ready to give  
maintenance amount of Rs.5,000/- (five thousand) per month, in  
the event of arrest/surrender within six weeks from today, let the



petitioner, mentioned above, be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Sub Divisional Judicial Magistrate, Patna in Complaint Case No. 2615C/2018 on the following conditions:-

(1) Opposite party no.2 would file an affidavit to the court below bringing on record her savings bank account number for its communication to the petitioner.

(2) Petitioner would deposit the aforesaid maintenance amount per month in the savings bank account of the opposite party no.2.

(3) In case, the petitioner fails to deposit the maintenance amount for two consecutive months, the court below would be at liberty to cancel the bail bonds.

(4) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(5) If the petitioner tampers with the evidence or the witnesses, in that case the prosecution will be at liberty to move for cancellation of bail.

(6) The aforementioned payment will be subject to any order passed in matrimonial, maintenance or connected proceedings. The present order, in no way, will preclude the parties to resolve the issue otherwise.

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**(Prabhat Kumar Singh, J)**

