

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8938 of 2022

Arising Out of PS. Case No.-63 Year-2021 Thana- MAHILA P.S. District- Madhubani

SULINDRA KUMAR SON OF YAMUN SAH RESIDENT OF VILLAGE-
BRAHMPUR, WARD NO. 1, POLICE STATION- PHULPARAS,
DISTRICT- MADHUBANI

... .. Petitioner/s

Versus

1. The State of Bihar
2. POOJA KUMARI W/O SULINDRA KUMAR, D/O RAM BILAS SAH
RESIDENT OF VILLAGE- BRAHMPUR, WARD NO. 1, POLICE
STATION- PHULPARAS, DISTRICT- MADHUBANI, AT PRESENT
BAIJU SAH, MATERNAL GRAND FATHER, RESIDENT OF VILLAGE-
SARISABPAHI, POLICE STATION- PANDUL, DISTRICT-
MADHUBANI

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Jha
For the Opposite Party/s : Mr.Addl. Public Prosecutor .
Mr.Shailendra Kumar Jha

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 14-07-2022 Heard learned counsel for the parties.

The petitioner, husband of informant/O.P.2,
apprehends his arrest in Madhubani Mahila P.S. Case No. 63 of
2021 registered for the offence under Section 498(A) and other
allied sections of the Indian Penal Code.

As per the prosecution case, this petitioner is alleged
to have committed torture and harassment for dowry with the
informant/O.P.2.

Learned counsel for the petitioner submits that
petitioner is ready to give maintenance amount of Rs. 3,000/-



(three thousand) per month, starting from this month to informant/O.P.2.

In view of the undertaking of learned counsel for the petitioner that petitioner is ready to give maintenance amount of Rs. 3,000/- (three thousand) per month, in the event of arrest/surrender within a period of six weeks from today, let the petitioner above-named be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Madhubani in connection with Madhubani Mahila P.S. Case No. 63 of 2021 on the following conditions:

(1.) Informant/O.P.2 would file an affidavit before the court below and bring on record her saving bank account number for its communication to the petitioner.

(2.) Petitioner would deposit the aforesaid maintenance amount per month in the saving bank account of the informant/O.P.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 bond.

(4.) Petitioner shall cooperate 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.

(Prabhat Kumar Singh, J)

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