

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31819 of 2022

Arising Out of PS. Case No.-108 Year-2021 Thana- MAHILA P.S. District- Araria

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RUPESH KUMAR ARAYA @ RUPESH KUMAR SAH S/o Sugan Lal Sah
Resident of Village- Saidabad, P.S.- Sikty, District- Araria.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Punam Devi W/o Raupesh Kumar Araya @ Rupesh Kumar Sah Resident of Village- Saidabad, Ward No.12, Sikty, District- Auraria, Parental Address- D/o Rajendra Sah, Resident of Village- Bhikha, Ward No.8, Palari, District- Ararial.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Mr.Gopal Kumar Jha
For the Opposite Party/s :	Mr.Nand Kumar
	Mr. A. Haque

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 10-10-2022 Heard learned counsel for the parties.

The petitioner, husband of informant, apprehends his arrest in a case registered for the offence punishable under Section 498(A) and some other ancillary Sections of the Indian Penal Code and section 3/4 of the Dowry Prohibition Act.

Learned counsel for the petitioner submits and offers that at this juncture, the petitioner is ready to give maintenance amount of Rs. 5,000/- (five thousand) per month to the informant, starting from this month.

In view of the undertaking of learned counsel for the petitioner that petitioner is ready to give maintenance amount of



Rs. 5,000/- (five thousand) per month, the petitioner above-named, in the event of his arrest/surrender within a period of six weeks from today, 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 Additional Chief Judicial Magistrate-V, Araria in connection with Mahila P.S. Case No. 108/ 2021 on the following conditions:

(1.) Informant 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.

(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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