

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47869 of 2021

Arising Out of PS. Case No.-2533 Year-2018 Thana- KATIHAR COMPLAINT CASE
District- Katihar

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SHYAM SUNDAR DATTA Son of Sibu Dutta Resident of Mohalla- Driver
Tola, P.S.- Katihar, District- Katihar.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Dipa Dutta Wife of Shyam Sundar Dutta, Daughter of Shankar Kumar Das
Resident of Mohalla- Barbanna Pani Tanki, Chowk, M.G. Road, Katihar,
P.S.- Katihar, District- Katihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ajit Kumar Singh
For the Opposite Party/s : Mr.Narsingh Tanti
Mr.Ratnakar Ambasth

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 02-11-2022 Heard learned counsel for the parties.

The petitioner, husband of complainant/O.P.-2,
apprehends his arrest in a case punishable for the offence under
Section 498(A)/34 of the Indian Penal Code and Section 3/4 of
the Dowry Prohibition Act.

As per the prosecution case, this petitioner is alleged
to have committed torture and harassment for dowry with the
complainant/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



complainant/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, Katihar in connection with Complaint Case No. 2533 of 2018 on the following conditions:

(1.) Complainant/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 complainant/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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