

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65063 of 2021

Arising Out of PS. Case No.-24 Year-2018 Thana- MAHILA P.S. District- Siwan

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GULAM MUSTAFA @ GULAM MUSTUFA S/O SAFI AHMAD R/o
village- Gos Nagar, Makhdumpur, P.S.- Balidih, District- Bokaro, Jharkhand
... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. SHAYDA KHATOON W/O GULAM MUSTAFA @ GULAM MUSTUFA
R/o village- Gos Nagar, Makhdumpur, P.S.- Balidih, District- Bokaro,
Jharkhand, at present residing at Village and P.S.- Guthni, District- Siwan
... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rakesh Mohan Singh
For the Opposite Party/s : Mr.Raj Ballabh Singh
Mr.Shailendra Kumar Dwivedi

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 24-08-2022 Heard learned counsel for the parties.

The petitioner, husband of informant/opposite party
no. 2, apprehends his arrest in Siwan Mahila P.S. Case No. 24 of
2018 registered for the offence under Section 498(A) and other
allied sections of the Indian Penal Code and sections 3/4/5 of
the Dowry Prohibition Act.

As per the prosecution case, this petitioner is alleged
to have committed torture and harassment for dowry with the
informant/opp.party no. 2.

Learned counsel for the petitioner submits that
petitioner is ready to give maintenance amount of Rs. 3,500/-
(three thousand five hundred) per month, starting from this
month to informant/opp.party no. 2.



In view of the undertaking of learned counsel for the petitioner that petitioner is ready to give maintenance amount of **Rs. 3,500/-** (three thousand five hundred) 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 Sub-Divisional Judicial Magistrate, Siwan in connection with Siwan Mahila P.S. Case No. 24 of 2018 on the following conditions:

(1.) Informant/opp.party no. 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/opp.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 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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