

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54958 of 2022

Arising Out of PS. Case No.-40 Year-2022 Thana- MAHILA P.S. District- Patna

Mahesh Prasad Singh Son of Shew Kumar Singh Resident of B-51/15, Lab
Quarters, Kanchan Bagh, Hyderabad, Andhra Pradesh 500058

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Kunal Tiwary, Advocate
For the Informant	:	Mr. Vijay Kumar Sinha, Advocate
For the State	:	Mr. Sanjay Kumar Sharma, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 13-12-2022 Learned counsel for the petitioner is permitted to remove the defects, as pointed out by the office, if any, within a period of four weeks from today.

Heard learned counsel for the petitioner, learned counsel for the informant and learned APP for the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 341, 323, 498A/34 of the Indian Penal Code and Section 3 of the Dowry Prohibition Act.

Petitioner is the husband of the informant. Allegation is of demand of dowry and torture for non-fulfillment of the same.

Learned counsel for the petitioner submits that the



petitioner has clean antecedents and he has been falsely implicated in the present case only on the ground that the petitioner is the husband of the informant. Learned counsel for the petitioner on the basis of instruction submits that the petitioner shall pay Rs. 20,000/- regularly per month to the informant as a maintenance till the disposal of the Maintenance Case filed by the informant.

Learned counsel for the informant on the basis of instruction submits that he has no objection if the petitioner pays Rs. 20,000/- per month regularly to the informant.

Considering the facts and circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Danapur Mahila P.S. Case No. 40 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions :-

(1) The petitioner shall deposit a sum of Rs. 20,000/- per month regularly to the informant vide S.B.I. Account



No. 33986570576, IFSC Code SBIN0017469 till the disposal of the Maintenance Case filed by the informant.

(2) 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.

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

(4) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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