

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66620 of 2021**

Arising Out of PS. Case No.-751 Year-2020 Thana- SITAMARHI COMPLAINT CASE
District- Sitamarhi

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NANDAN RAI Son of Ram Milan Rai Resident of Village - Kunhiya, P.S.-
Bela, Dist.- Sitamarhi

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sabita Devi Wife of Nandan Rai Resident of village - Kunhiya, P.S.- Bela,
Dist.- Sitamarhi, At present, Sabita Devi D/O Sudharath Rai, Resident of
village - Khutauna, P.S.- Malangwa, Dist.- Sarlahi (Nepal)

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjay Kumar

For the Opposite Party/s : Mr.Shahabuddin Azeem @ S. Azeem

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 24-05-2022 Heard learned counsel for the parties.

The petitioner, husband of complainant, apprehends his arrest in a case registered for the offence under Sections 323, 379, 498(A) and other allied sections of the Indian Penal Code.

As per the prosecution case, this petitioner is alleged to have committed torture on the complainant due to non-fulfillment of demand of dowry.

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

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, 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 Judicial Magistrate - I, Sitamarhi in connection with Complaint Case No. 751 of 2020 on the following conditions:

(1.) Complainant 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.

(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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