

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67095 of 2021

Arising Out of PS. Case No.-173 Year-2021 Thana- BHAGWANPUR District- Vaishali

NISHANT KUMAR Son of Sri Krishna Kumar Singh Resident of Village-
Warishpur, P.s.- Bhagwanpur, Distt.- Vaishali, Hajipur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. RITU KUMARI W/o Nishant Kumar , D/o Chandra Mohan Singh Resident
of Village- Gokula, Rupauli, P.S.- Paro, Dist.- Muzaffarpur.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sandip Kumar Gautam
For the Opposite Party/s : Mr.Md. Shakir Ahmad

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

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

The petitioner, husband of the informant, apprehends his arrest in a case registered for the offence under Sections 323, 504, 498(A) and other allied sections 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 informant/opposite party no. 2.

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 informant/opposite party no. 2.



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 Additional Chief Judicial Magistrate – I, Vaishali at Hajipur in connection with Bhagwanpur P.S. Case No. 173 of 2021 on the following conditions:

(1.) Informant/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 informant/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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