

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68360 of 2021

Arising Out of PS. Case No.-1200 Year-2017 Thana- MUZFFARPUR COMPLAINT CASE
District- Muzaffarpur

-
1. MD. MUSTAQUE Son of Late Suleman Resident of Village- Rupauli, P.S.- Dumra, Duistrict- Sitamarhi Pin No. 843302
 2. Halima Khatoon W/o Late Suleman Resident of Village- Rupauli, P.S.- Dumra, Duistrict- Sitamarhi Pin No. 843302

... .. Petitioner/s

Versus

1. The State of Bihar
2. Nazni Khatoon W/o Mustaque, D/o Md. Sharif At present Resident of Chakki Tola Barai, P.s.- Hathauri, District- Muzaffarpur.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Subodh Kumar, Advocate
For the Opposite Party/s	:	Mr. Addl. Public Prosecutor Mr. Hari Kishore Thakur, Adv.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 22-08-2022 Heard learned counsel for the parties.

The petitioner no. 1, husband of complainant, and petitioner no. 2, mother-in-law of complainant apprehend their arrest in a complaint case instituted for the offence under Section 498(A) of the Indian Penal Code and section 3/4 of the Dowry Prohibition Act.

As per the prosecution case, petitioners are alleged to have committed torture, harassment for dowry with the complainant/opposite party no. 2.

Learned counsel for the petitioners submits that petitioner no. 1 is ready to give maintenance amount of Rs.



2,500/- (two thousand five hundred) per month, starting from this month to the complainant/opposite party no. 2.

In view of the undertaking given by petitioner no. 1 that he is ready to give maintenance amount of Rs. 2,500/- (two thousand five hundred) per month to the complainant/O.P.-2, in the event of their arrest/surrender within a period of six weeks from today, let the petitioners above-named be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, East, Muzaffarpur in connection with Complaint Case No. 1200 of 2017, Trial No. 2017 of 2020 on the following conditions:

(1.) Complainant/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 no. 1 would deposit the aforesaid maintenance amount per month in the saving bank account of the complainant/opp. Party no. 2.

(3.) In case, the petitioner no. 1 fails to deposit the maintenance amount for two consecutive months, the court below would be at liberty to cancel the bail bond.

(4.) Petitioners 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 petitioners tamper 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)

anay/-

U		T	
---	--	---	--

