

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68533 of 2021

Arising Out of PS. Case No.-382 Year-2021 Thana- SIWAN MUFFASIL District- Siwan

AKHILESH PANDEY S/O JAIGOVIND PANDEY R/o village- Orma
Mukund, P.S.- Siwan Muffasil, District- Siwan

... .. Petitioner/s

Versus

1. The State of Bihar
2. Priyanka Pandey W/o Akhilesh Pandey, D/o Sri Kanhiya Mishra R/o village-
Dumari Swangi Patti, P.S.- Hata, District- Kushinagar (U.P.), Pin Code-
274206

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Raghav Prasad,Advocate
For the Opposite Party/s :	Mr.Pradeep Narain Kumar,APP
	Dr.Pramod Kumar Pandey,Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

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

The petitioner, husband of informant/O.P.-2, apprehends his arrest in a case registered for the offence under Section 498(A) and other allied sections of the Indian Penal Code.

As per the prosecution case, this petitioner is alleged to have committed torture and harassment for dowry with the informant/O.P.-2.

Learned counsel for the petitioner submits that matter has been compromised between the parties and in support of the same, he has placed certified copy of order dated 08.06.2022 passed in Divorce Case No. 22/2021 by learned Principal Judge Family Court, Siwan. Let it be kept on record.



However, learned counsel for the informant disputes the fact and submits that petitioner and his family members ousted the informant alongwith her three minor children 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 the informant/O.P.-2.

In view of the fact that petitioner is ready to give maintenance amount of ***Rs. 5,000/- (five thousand) per month***, in the event of his 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 Chief Judicial Magistrate, Siwan in connection with Siwan Muffasil P.S. Case No. 382 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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