

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8528 of 2023

Arising Out of PS. Case No.-222 Year-2021 Thana- MADHEPURA COMPALINT CASE
District- Madhepura

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MUNNA SUTIHAR @ MUNNA KUMAR Son of Ramchandra Sutihar
Resident of village - Satarkataiya, P.S.- Bihra, District - Saharsa.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Babita Devi Wife of Munna Sutihar @ Munna Kumar Daughter of Upendra Sutihar, Resident of village - Satarkataiya, Ward No.- 5, P.S.- Bihra, District - Saharsa at present resident of village - Aurahi Ekparha, P.S.- Gamhariya, District - Madhepura.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Mr.Ashwani Kumar Tiwary
For the Opposite Party/s :	Mr.Parmanand Prasad
	Mr.Ranjay Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 19-08-2023 Heard learned counsel for the parties.

2. The petitioner, husband of the complainant/O.P.-2, apprehends his arrest in a complaint case punishable for the offences under Sections 341, 323, 498(A), 504, 506/34 of the Indian Penal Code.

3. As per complaint case, this petitioner is alleged to have committed torture and harassment with the complainant/O.P.-2 due to non-fulfillment of demand of dowry.

4. Learned counsel for the petitioner submits that petitioner is ready to give maintenance amount of Rs. 3,000/- (three thousand) per month, starting from this month, to complainant/O.P.-2.

5. In view of the undertaking of learned counsel for



the petitioner that petitioner is ready to give maintenance amount of ***Rs. 3,000/- (three thousand) per month to complainant/O.P.-2***, 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 A.C.J.M. - II, Madhepura / concerned court in connection with Complaint Case No. 222 of 2021, subject to condition as laid down under Section 438(2) of Cr.P.C. with further following conditions:

“(A.) Complainant/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.

(B.) Petitioner would deposit the aforesaid maintenance amount per month in the saving bank account of the complainant/O.P.-2.

(C.) 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.

(D.) 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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