

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9503 of 2022

Arising Out of PS. Case No.-79 Year-2019 Thana- DHANSOI District- Buxar

TRIBHUWAN RAI son of Late Mundrika Rai Resident of Village - Kakariya,
P.S. - Dhansoi, District - Buxar.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Asha Devi Wife of Tribhuwan Rai and daughter of Ram Ekbal Rai Resident of Village - Amarpur, P.S. Dhansoi, District - Buxar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Satyapal Singh
For the Opposite Party/s : Mr.Umanath Mishra
Mr.Abhay Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 13-03-2023 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 and Section 27 of the Arms Act.

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 petitioner is ready to give maintenance amount of Rs. 3,000/- (three thousand) per month, starting from this month, to informant/O.P.-2.



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, 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 Chief Judicial Magistrate, Buxar in connection with Dhansoi P.S. Case No. 79 of 2019 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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