

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19939 of 2023

Arising Out of PS. Case No.-1472 Year-2019 Thana- BEGUSARAI COMPLAINT CASE
District- Begusarai

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Lalan Sharma @ Lalan Kumar S/O Mahendra Sharma Resident of Village-
Suja, Bharra, P.S.- Mufassil, District- Begusarai.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Lalita Devi W/O Lalan Sharma Resident of village- Suja Bharra, P.S.-
Mufasil, District- Begusarai, Presently Residing at Village and P.O.-
Hasanpur, P.S.- Hasanpur, District- Samastipur.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shubhesh Pandey
For the Opposite Party/s : Mr.Anil Kumar Singh No. 1

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 25-09-2023 Heard learned counsel for the parties.

2. The petitioner, husband of Opposite Party No. 2
apprehends his arrest in a case registered for the offence under
Sections 323, 504, 406, 379, 307 and 498(A) of the Indian Penal
Code and section 3/4 of the Dowry Prohibition Act.

3. Earlier, vide order dated 11.07.2023, the matter
was sent to Mediation Centre of Patna High Court for settlement
of dispute between the parties, which has been received and
kept at flag 'B'. From persual of Mediator's report dated
02.09.2023, it appears that mediation has failed.

4. Learned counsel for the petitioner submits that at
this juncture, the petitioner is ready to give maintenance amount



of Rs. 2,500/- (two thousand five hundred) per month, starting from this month to Opposite Party No. 2.

5. In view of the undertaking of learned counsel for the petitioner that petitioner is ready to give maintenance amount of Rs. 2,500/- (two thousand five hundred) 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 Sub-Divisional Judicial Magistrate, Begusarai in connection with Begusarai Complaint Case No. 1472-C of 2019, on the following conditions:

- (1.) Opposite 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 would deposit the aforesaid maintenance amount per month in the saving bank account of the Opposite Party No. 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.

6. The present order, in no way, will preclude the parties to resolve the issue otherwise.

(Prabhat Kumar Singh, J)

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