

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17326 of 2023

Arising Out of PS. Case No.-655 Year-2022 Thana- COMPLAINT CASE District- Banka

AMIT KUMAR SON OF MAHENDRA PRASAD THAKUR R/O
MOHALLA- RAM KANALI CHAK, POST OFFICE- RAM KANALI, P.S.-
KATRAS, DISTRICT- DHANBAD (JHARKHAND)

... .. Petitioner/s

Versus

1. The State of Bihar
2. MONIKA SHAILESH WIFE OF AMIT KUMAR, D/O SANJAY KUMAR
THAKUR R/O VILLAGE- KATORIYA, P.S.- KATORIYA, DISTRICT-
BANKA

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Najmul Hodda, Advocate
For the Opposite Party/s : Mr. Sucheta Yadav , Addl. Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 20-09-2023 1 . Heard learned counsel for the petitioner, the
State and the opposite party no.2.

2. The petitioner who is husband of opposite party no.
2 apprehends arrest in a case registered for the offence
punishable under Sections 498 (A) , 323 and 504 of the Indian
Penal Code and Section 3/4 of Dowry Prohibition Act.

3 . Learned counsel for the petitioner submits that the
petitioner offers and undertakes that he is ready to give
maintenance amount of Rs. 3000/-per month, starting from this



month, to opposite party no. 2.

4. In view of the undertaking of learned counsel for the petitioner that petitioner is ready to give maintenance amount of Rs. 3000/- per month, in the event of arrest/surrender within a period of six weeks from today, above-named petitioner 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 the learned S.D. J . M., Banka in connection with Complaint Case No. 655 of 2022, , subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure as well as 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) 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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