

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No 19341 of 2023**

Arising Out of PS. Case No.-905 Year-2019 Thana- AURANGABAD COMPLAINT CASE  
District- Aurangabad

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MUKESH DUBEY @ MUKESH KUMAR DUBEY son of Deopujan Dubey  
Harchandpur Ps- Badem Nabinagar, Dist- Aurangabad

... .. Petitioner/s

Versus

1. The State of Bihar
2. Nidhu Devi wife of Mukesh Dubey Village- Harchandpur Ps- Badem Nabinagar, Dist- Aurangabad present Add- D/O- Heeranand Pandey Village- Pipra Ps- Mali Dist- Aurangabad

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr Ashok Kumar Singh, Advocate

For the S t a t e : Mr Humayou Ahmad Khan, APP

For Opposite Party No 2 : M/s Leelawati Kumari, Aman Vishal, Advocates

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**CORAM: HONOURABLE MR JUSTICE PRABHAT KUMAR SINGH**

**ORAL ORDER**

**3      04-09-2023**                      Heard learned counsel for the petitioner, State and  
Opposite Party No 2.

**2** The petitioner, who is husband of Opposite Party No 2, apprehends arrest in Complaint Case No 905 of 2019 registered for the offence punishable under Section 498A of Indian Penal Code and Sections 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 the 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, the petitioner above named be enlarged on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Sub Divisional Judicial Magistrate, Aurangabad in Complaint Case No 905 of 2019 subject to the conditions as laid down in Section 438 (2) of the Code of Criminal Procedure as well as on the following conditions:

***(i) 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.***

***(ii) Petitioner would deposit the aforesaid maintenance amount per month in the saving bank account of Opposite Party No 2.***

***(iii) 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 bonds.***

***(iv) 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)

M.E.H./-

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