

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20303 of 2023**

Arising Out of PS. Case No.-24 Year-2022 Thana- MAHILA P.S. District- Nalanda

KUNDAN KUMAR Son of Ramashish Paswan Resident of Village - Hathdeh
Ward No.- 03, P.S.- Hathdeh, District - Patna, Pin Code - 803301.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Minta Devi Wife of Kundan Kumar Daughter of Devki Paswan, Resident of
Village - Sirnawan, P.S.- Bena, District - Bihar Sharif (Nalanda)

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mrityunjay Kumar

For the Opposite Party/s : Mr.Navin Kumar Pandey

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 24-06-2023 Heard learned counsel for the parties.

The petitioner, husband of the complainant/O.P.-2, apprehends his arrest in a complaint case punishable for the offences under Sections 341, 323, 398A, 494/34 of the Indian Penal Code.

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.

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.

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 Sub Divisional Judicial Magistrate, Bihar Sharif, Nalanda, in connection with Bihar Sharif (Nalanda) Mahila P.S. Case No. 24 of 2022, subject to condition as laid down under Section 438(2) of Cr.P.C. with further following conditions:

“(1.) 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.

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