

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42365 of 2023

Arising Out of PS. Case No.-741 Year-2019 Thana- BHAGALPUR COMPLAINT CASE
District- Bhagalpur

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SUMIT KUMAR MANDAL @ SUMIT KUMAR @ BANTI, S/o Santosh
Mandal, Resident of village-Vishal, P.S.-Ishipur Barahat, District-Bhagalpur

... .. Petitioner/s

Versus

1. The State of Bihar
2. ANCHAL DEVI, D/o Hari Prasad Mandal, Resident of village-Vishal, P.S.-
Ishipur Barahat, District-Bhagalpur

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr. Tarun Prasad Mandal, Advocate
For the State	:	Mr. Arun Kumar, APP
For O.P. No. 2	:	Mr. D.K. Pandey, Advocate

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 13-12-2023 Heard learned counsels for the parties.

2. The petitioner, husband of the complainant/O.P.-2, apprehends his arrest in Bhagalpur Complaint Case No. 741 of 2019 punishable for the offence under Sections 498A, 323 and 504 of the Indian Penal Code and Section 4 of the Dowry Prohibition Act.

3. 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.

4. Learned counsel for the petitioner submits that petitioner is ready to give maintenance amount of Rs. 3,000/- (three thousand rupees) per month, starting from this month, to complainant/O.P.-2.



5. 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 rupees) 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 S.D.J.M., Bhagalpur, in connection with Bhagalpur Complaint Case No. 741 of 2019, subject to condition as laid down under Section 438(2) of Cr.P.C. with further following conditions:

“(A.) 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.

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

(C.) 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.

(D.) 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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