

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40958 of 2022

Arising Out of PS. Case No.-266 Year-2021 Thana- KUNDWACHAINPUR District- East
Champaran

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LALBABU KUMAR @ LALBABU PATEL Son of Dinesh Patel Resident of
village - Gorgawa, P.S.- Kundwachainpur, District - East Champaran
... .. Petitioner/s

Versus

1. The State of Bihar
2. Minku Devi Daughter of Lalbir Patel Resident of village - Santpur, P.S.-
Jharokhar, District - East Champaran
... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr.Umesh Chandra Verma,Adv.
For the State	:	Mr.Rajendra Prasad Nat,APP
For the Informant/OP-2	:	Mr.Ajay Kumar Singh,Adv.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 14-03-2023 Heard learned counsel for the parties.

The petitioner, husband of informant/O.P.-2,
apprehends his arrest in a case registered for the offence under
Section 498(A)/34 of the Indian Penal Code and Section 3/4 of
the Dowry Prohibition Act.

As per F.I.R., this petitioner is alleged to have
committed torture and harassment with the informant/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
informant/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 informant, 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, Sikrahana at Dhaka, East Champaran in connection with Kundwachainpur P.S. Case No. 266 of 2021 on the following conditions:

“(1.) Informant/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 informant/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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