

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41134 of 2023

Arising Out of PS. Case No.-361 Year-2022 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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Niraj Kumar Sah Son Of Rajeshwar Sah Resident Of Village- Sripur, Ps-
Chhauradano, District- East Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ramawati Kumari Wife Of Niraj Kumar Sah Resident Of Village- Srikhindi,
Ps- Sugauli, District- East Champaran

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr.Dhurendra Kumar
For the State	:	Mr.Suman Kumari Singh
For the O.P.2	:	Mr.Binay Kumar

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 17-10-2023 Heard learned counsel for the parties.

2. The petitioner, husband of the complainant/O.P.-2,
apprehends his arrest in a complaint case punishable for the
offence under Sections 323, 504, 506, 498(A) of the Indian
Penal Code.

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) 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) 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., Raxaul, Motihari (East Champaran) / concerned court in connection with Complaint Case No. 361 of 2022, 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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