

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50713 of 2022

Arising Out of PS. Case No.-649 Year-2019 Thana- MADHUBANI COMPLAINT CASE
District- Madhubani

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Arun Mandal @ Arun Kumar Mandal, S/o Uapendra Mandal R/o village-
Barahgoriya, P.S.- Pandaul, Distt.- Madhubani

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sarda Devi @ Sunita Devi W/o Arun Mandal @ Arun Kumar Mandal, D/o
Bhula Mandal R/o village and P.O.- Taruni, P.S.- Bahera, Distt.- Darbhanga

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Shailendra Kumar Jha, Advocate
For the informant	:	Mr. Kripa Nand Jha, Advocate
For the Opposite Party/s	:	Mr. Ajit Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 13-03-2023 Heard Mr. Shailendra Kumar Jha, learned counsel

appearing on behalf of the petitioner, Mr. Kripa Nand Jha,

learned counsel appearing on behalf of the informant and Mr.

Ajit Kumar, learned A.P.P. for the State.

2. The petitioner apprehends his arrest in
connection with C.R. No. 649 of 2019, registered under
Sections 341, 323, 379, 420, 498(A)/34 of the Indian Penal
Code and Section 3 / 4 of the Dowry Prohibition Act.

3. The Opposite Party No.2 and the petitioner were
living happily and after some time due to alleged certain
demands made by the petitioner, the matrimonial relationship
between the parties strained, which led the informant, who is



the wife of the petitioner, to file complaint in the Court of learned Chief Judicial Magistrate, Madhubani.

4. Learned counsel appearing on behalf of the petitioner submitted that to satisfy the ego of O.P. No.2, the petitioner is ready to open a saving account in the name of his wife (O.P. No.2) and will deposit a sum of Rs. 50,000/- within a period of six months and he is also ready to deposit Rs. 7000/-, if he is released on pre-arrest bail.

5. Learned counsel appearing on behalf of the informant referred the order dated 02.09.2022 passed in Case No. MR-235 of 2019 by the learned Principal Judge, Family Court, Madhubani by which the petitioner was directed to make payment of Rs. 7000/- per month, as maintenance, to the informant (O.P. No.2). However, considering the offer given by the petitioner that he will deposit Rs. 7000/- forthwith after his release on pre-arrest bail and remaining amount of Rs. 50,000/- will be deposited within a period of six months subject to the condition that petitioner must keep her with full dignity and honour, the O.P. No.2 has no objection if the petitioner is released on prearrest bail.

6. Considering the rival submission made by the parties, who have now strived to resolve the matrimonial



dispute, the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of four weeks from today, is directed to be released on **provisional bail** on furnishing bail bond of Rs. 25,000/-(Rs. Twenty Five thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Madhubani in connection with C.R. No. 649 of 2019 (T.R. No.3173/19) subject to the condition that petitioner must deposit Rs. 7000/- in the account of O.P. No.2 within a period of three weeks from the date of surrender before the Court below and rest amount of Rs. 50,000/- will be deposited within a period of six months. One of the bailor must be the father of the petitioner.

7. The Court below is directed to confirm the provisional bail of the petitioner on satisfy that the parties are leading their conjugal life happily on such terms and conditions as fixed by the court below.

8. With the above observation and directions, the present pre-arrest bail application stands disposed of.

(Purnendu Singh, J)

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