

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55526 of 2022

Arising Out of PS. Case No.-501 Year-2020 Thana- MADHUBANI COMPLAINT CASE
District- Madhubani

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ARUN KUMAR SAH @ ARUN KUMAR SAHU @ ARUN SAH Son of
Rajendra Sahu Resident of Village - Paigambarpur, P.S.- Kewati, District -
Darbhanga.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Nisha Kumari @ Nisha Devi Wife of Arun Kumar Sah @ Arun Kumar Sahu
@ Arun Sah Daughter of Bacchan Sah, Resident of Village - Paigambarpur,
P.S.- Kewati, District - Darbhanga, At present residing at village - Kanakpur
(Kanhauri), P.S.- Sakri, District - Madhubani.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajesh Ranjan
For the Opposite Party/s : Mr.Nawal Kishore Prasad

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 18-09-2023 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, 341, 468A of the Indian Penal Code and
Section 3/4 of 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. 2,500/- (two
thousand five hundred) 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. 2,500/- (two thousand five hundred) 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., Madhubani / concerned court in connection with Complaint Case No. (C.R. No.)-501 of 2020 (Trial No.1342 of 2022), subject to condition as laid down under Section 438(2) of Cr.PC. 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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