

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58584 of 2022

Arising Out of PS. Case No.-13 Year-2022 Thana- MAHILA PS District- East Champaran

MUKESH SINGH Son of Awadh Kishore Singh R/V- Rajepur Nawada, P.S-
Pakrideyal, Dist- East Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Vinita Devi Daughter of Rameshwar Shukla R/V- Baswariya, P.S- Muffasil,
Dist- East Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar
For the Opposite Party/s : Mr.Sanjay Kumar Pandey
Mr.Pravin Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 16-03-2023 In compliance with earlier order, both parties are present in Court. Accordingly, their personal appearance is dispensed with. Pursuant to order dated 08.02.2023, the petitioner has already paid Rs. 2,000/- (two thousand), as conveyance allowance, to the opposite party no. 2.

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. 5,000/- (five 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. 5,000/- (five 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 Sadar, Motihari, East Champaran in connection with Mahila P.S. Case No. 13 of 2022 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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