

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71944 of 2022

Arising Out of PS. Case No.-267 Year-2022 Thana- BHABHU(KAIMUR) COMPLAIN C
District- Kaimur (Bhabua)

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ASHUTOSH KUMAR PANDEY Son of Awadhesh Pandey Resident of Kishunpura Kala, P.S.- Sakaldiha, District - Chanduali, Uttar Pradesh. At present residing at Ramnagar, Tom Basti, P.O.- Bichdera, Fararganj Portblayer, South Andaman, Near Amrita General Store, PIN - 744206

... .. Petitioner/s

Versus

1. The State of Bihar
2. Puja Devi Daughter of Tarkeshwari Kumar Diwedi Resident of Kishunpura, P.S.- Sakaldiha, District - Chanduali, Uttar Pradesh. At present residing at Ward No.- 3, P.S.- Bhabhua, District - Kaimur

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Mrs.Bandana Singh
For the Opposite Party/s :	Mr.Umeshanand Pandit
	Mr.Chandra Mohan Jha

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3. 24-04-2023 Heard learned counsel for the parties.

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

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.

Learned counsel for the petitioner submits that petitioner is ready to give maintenance amount of Rs. 4,000/- (four thousand) per month, starting from this month, to complainant/O.P.-2.



In view of the undertaking of learned counsel for the petitioner that petitioner is ready to give maintenance amount of ***Rs. 4,000/- (four 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 Chief Judicial Magistrate, Kaimur at Bhabhua in connection with Complaint Case No. 267 of 2022, subject to condition as laid down under Section 438(2) of Cr.P.C. with further following conditions:

“(1.) 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.

(2.) Petitioner would deposit the aforesaid maintenance amount per month in the saving bank account of the complainant/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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