

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72897 of 2023

Arising Out of PS. Case No.-2749 Year-2022 Thana- SARAN COMPLAINT CASE District-
Saran

PRIYESH SHRIVASTAVA, Son Of Umesh Prasad Resident Of Village-
Bagauchha, Ps- Kuchaikot, Distt- Gopalganj

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. NEHA SRIVASTAVA, Wife Of Priyesh Shrivastava Resident Of Village-
Gopalnath Ps- Thawe, Dist- Gopalganj, At Present Village- Katsa, Ps-
Sahajitpur, Dist- Saran

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Ramchandra Sahni, Advocate
For the State	:	Mr. Akshay Lal Pandit, APP
For O.P. No. 2	:	Mr.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 07-11-2023 Heard learned counsels for the parties.

2. The petitioner, husband of the complainant/O.P.-2, apprehends his arrest in Complaint Case No. 2749 of 2022 punishable for the offence under Section 498A of the Indian Penal Code and Sections 3 and 4 of the 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. 5,000/- (five 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. 5,000/- (five 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, Saran at Chapra, in connection with Complaint Case No. 2749 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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