

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7603 of 2024

Arising Out of PS. Case No.-516 Year-2023 Thana- COMPLAINT CASE District- Araria

Vakil Biswas @ Vakil Kumar Mandal S/o- Mohan Biswas Village- Bhag
Kohalia W.No- 3, Ps- Forbesganj Dist- Araria

... .. Petitioner/s

Versus

1. The State of Bihar
2. Phulo Kumari D/o- Jaharu Mandal Village- Baidhnathpur W.No-2, Ps-
Jogbani Dist- Araria

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Nishant Kumar Sinha Mr.Arvind Kumar
For the Opposite Party/s	:	Mr.Kanhiya Kishor,APP Mr.Madhav Jha Mr. / Mrs. Kanchan Jha Mr. Nishant Choudhary

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 23-09-2024 Pursuant to order of this Court, the matter was referred to Mediation & Conciliation Centre of Patna High Court, but the dispute between the parties could not be resolved through the process of mediation and as such, mediation failed (Report kept at flag 'M').

2. Heard learned counsel for the petitioner, learned A.P.P. for the State and learned counsel for the complainant / opposite party no. 2.

3. The petitioner, who is husband of opposite party no. 2, apprehends his arrest in a complaint case punishable for the offences under Sections 498(A)/34 of the Indian Penal Code.



4. Petitioner is alleged to have committed torture and harassment with opposite party no. 2 for dowry.

5. Learned counsel for the petitioner submits that the petitioner offers and undertakes that he is ready to give maintenance amount of Rs. 3,000/- per month, starting from this month, to opposite party no. 2.

6. In view of the undertaking of learned counsel for the petitioner that petitioner is ready to give maintenance amount of ***Rs. 3,000/- (Rupees three thousand) per month*** to the opposite party no. 2, in the event of arrest/surrender within a period of eight weeks from today, let the above-named petitioner 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, Araria in connection with Complaint Case No. 516-C/2023, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure as well as on the following conditions:-

- “(1) Opposite party no. 2 would file an affidavit before the court below and bring on record her savings bank account number for its communication to the petitioner.
- (2) Petitioner would deposit the aforesaid maintenance amount per month in the savings



bank account of the opposite party no. 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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