

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6685 of 2024

Arising Out of PS. Case No.-5478 Year-2019 Thana- PATNA COMPLAINT CASE District-
Patna

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Rajesh Kumar Sharma S/o Late Suryadeo Sharma R/o Village - Mathiya
Harijan Tola, P.S. - Mairwa, District - Siwan

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rubi Sharma D/o Late Devanand Sharma R/o Village - Chiraiyatar
Kankarbagh, P.S. - Kankarbag, District - Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Mr.Ajay Kumar Pandey
For the Opposite Party/s :	Mr.Rajesh Kumar
	Mr.Deepak Kumar

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 24-06-2024 Earlier, vide order dated 20.02.2024, the matter was referred to the Mediation & Conciliation Centre of Patna High Court for exploring the possibility of amicable settlement, but the dispute between the parties could not be resolved through the process of mediation and as such, mediation failed (Report at flag 'A').

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 323, 498A, 504 of the Indian Penal



Code.

4. Petitioner is alleged to have committed torture and harassment to 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/- (three thousand) per month*** to the opposite party no. 2, in the event of arrest/surrender within a period of six 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 J.M. 1st Class, Patna in connection with Complaint Case No. 5478 of 2019, 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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