

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9511 of 2024

Arising Out of PS. Case No.-189 Year-2019 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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JUBAIR @ JUBAIR AHMAD SON OF LAL MOHAMMAD MIYAN R/O-
MACHAHA, P.S.-MUFFASIL MOTIHARI, DISTT.-EAST CHAMPARAN

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. NAJRA KHATOON DAUGHTER OF JAHIR HUSSAIN R/O-LAUKHAN
TOLA KHORWA, P.S.-GHORSAHAN, DISTT.-EAST CHAMPARAN

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr. Abhishek Kumar, Advocate
For the State	:	Mr. Pramod Kr. Pandey, APP
For Opposite Party No.2	:	Mr. Ajay Kr. Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 05-08-2024 Heard learned counsels for the parties.

2. The petitioner, husband of the

complainant/Opposite Party No. 2, apprehends his arrest in

Complaint Case No. 189 of 2019 registered for the offence

punishable 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/Opposite Party No. 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. 3,000/-



(three thousand rupees) per month, starting from this month, to complainant/Opposite Party No. 2.

5. 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 rupees) per month to complainant/Opposite Party No. 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 Judicial Magistrate, 1st Class, Motihari, East Champaran, in connection with Complaint Case No. 189 of 2019, subject to condition as laid down under Section 438(2) of Cr.P.C. with further following conditions:

“(A.) Complainant/Opposite Party No. 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/Opposite Party No. 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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