

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12763 of 2024

Arising Out of PS. Case No.-899 Year-2023 Thana- COMPLAINT CASE District- Araria

Purushottam Kumar Son of Krishan Prasad Bhagat R/o vill - Jhiktia,
Bindudham Road Barharwa, ward no. 02, P.O - Barharwa, P.s. - Barharwa,
Distt. - Sahibganj, State - Jharkhand

... .. Petitioner/s

Versus

1. The State of Bihar
2. Lovely Kumari W/o Purushottam Kumar, D/o Vishwanath Prasad @
Vishwanath Prasad Gupta R/o vill - Simraha Bazar, ward no. 02, P.O and
P.S. - Simraha, Distt - Araria

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Karandeep Kumar

For the Opposite Party/s : Mr.Rajendra Nath Jha

Mr.Arvind Kumar, Mr. Anil Kumar Sinha

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3. 06-05-2024 Heard learned counsel for the petitioner, learned
A.P.P. for the State and learned counsel for opp. party no. 2.

2. The petitioner who is husband of opposite party
No. 2, apprehends his arrest in a case registered for the offences
under Sections 498A, 323, 504 of the Indian Penal Code.

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

4. Learned counsel for the petitioner submits that the
petitioner offers and undertakes that he is ready to give
maintenance amount of **Rs. 10,000/-** per month, starting from
this month, to 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. 10,000/- (ten 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 Judicial Magistrate 1st Class, Araria in connection with Complaint Case No. 899-C of 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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