

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15102 of 2024

Arising Out of PS. Case No.-245 Year-2023 Thana- PALASI District- Araria

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Dipak Kumar Mandal @ Deepak Kumar Mandal S/o Vasudev Mandal @
Basudev Mandal R/o Vill - Bhotgaon, Ward No. 08, Police Station - Palasi,
District - Araria, Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Kanchan Devi @ Kanchan Kumari W/o Dipak Kumar Mandal @ Deepak
Kumar Mandal R/o Vill - Bhotgaon, Ward No. 08, P.S. - Palasi, Dist. -
Araria, Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kumar Ravish, Advocate
For the Opposite Party/s : Dr. Indihar Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

- 2 14-03-2024 **1.** Heard learned counsel appearing on

behalf of the petitioner and learned Additional Public

Prosecutor appearing on behalf of the State.
- 2.** The accused/petitioner is named in FIR and

apprehending his arrest in connection with Palasi P.S.

Case No. 245 of 2023 registered for the offences

punishable under Sections 341, 323, 324, 354-

B/498A/379/504/34 of the Indian Penal Code alongwith

Sections 3 and 4 of the Dowry Prohibition Act.
- 3.** The allegation against the petitioner is to



commit cruelty upon O.P. No. 2/wife.

4. Learned counsel appearing on behalf of the petitioner submitted that out of certain family disputes, O.P. No. 2/wife left the house of petitioner by deserting him and since then she is living with her parents. It is submitted that even as a matter of good gesture, petitioner/husband is ready to pay Rs. 4,000/- per month as an ad-interim maintenance to O.P. No. 2/wife without fail before 7th day of every English calendar month, till pendency of case before the learned trial court or finding of competent Family Court *qua* maintenance in issue. While concluding the argument, it is submitted that petitioner is a man of clean antecedent.

5. Learned counsel appearing on behalf of the opposite party no. 2 has not objected ad-interim amount for the present.

6. In view of the facts and circumstances as mentioned above and by taking note of the fact as petitioner is ready to pay ad-interim maintenance



amount of Rs. 4,000/- to O.P. No. 2/wife, till disposal of the case, accordingly, the petitioner above named, in the event of his arrest or surrender before the learned Trial Court within a period of four weeks, is directed to be released on bail, furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Araria/concerned Court, where the case is pending in connection with Palasi P.S. Case No. 245 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C., with further conditions that- :

(i) Petitioner shall pay Rs. 4,000/- as an ad-interim maintenance amount to O.P. No. 2/wife on or before 7th day of English calendar month. Payment for the month of March be made in cash at the time of furnishing bail bond, whereas maintenance amount from the month of April onward be paid through bank account of O.P. No. 2/wife, if not available same be opened by petitioner



on his expenditure, if any.

(ii) If petitioner fails to pay ad-interim maintenance for two consecutive months the bail bond of petitioner shall be cancelled by the learned Trial Court, itself, if pressed by O.P. No. 2.

(iii) Both conditions as above shall remain in force till finding of learned Family Court on maintenance issue. Amount paid shall be adjusted accordingly.

(Chandra Shekhar Jha, J)

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