

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17676 of 2024

Arising Out of PS. Case No.-1850 Year-2023 Thana- PATNA COMPLAINT CASE District-
Patna

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Kunal Kumar Son of Sri Kanhaiya Prasad Resident of Oriental Insurance Colony, Mahatma Gandhi Nagar, Kankarbagh, Police Station - Agamkuan, dist.- Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Krity Kumari Wife of Kunal Kumar, Daughter of Aditya Kumar Resident of T.T. Hata, Ram Das Path, Mithapur B Area, Mohalla- Mithapur, P.S.- Jakkanpur, District- Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr. Indeshwari Mandal, Advocate
For the State	:	Mr. Nitya Nand Tiwary, APP
For Opposite Party No.2	:	Mr. Binod Kr. Sinha, Advocate

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 11-07-2024 Heard learned counsels for the parties.

2. The petitioner, husband of the

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

Complaint Case No. 1850(C) of 2023 registered for the offence

punishable under Sections 316, 323, 379, 504 and 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, Ist Class, Patna, in connection with Complaint Case No. 1850(C) of 2023, 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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