

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25919 of 2024

Arising Out of PS. Case No.-1877 Year-2022 Thana- KATIHAR COMPLAINT CASE
District- Katihar

Md. Mustakim @ Mustakim Son of Md. Abdul Latif Resident of Village-
Selampur, Police Station- Balrampur, District- Katihar

... .. Petitioner/s

Versus

1. The State of Bihar
2. Shahin Parveen Wife of Mustakim, d/o of Md. Jumedin Resident of
Malikpur, Bagtoli, Post Office- Telta, P.S.- Balrampur, District- Katihar
... .. Opposite Party/s

Appearance :

For the Petitioner	:	Md. Helal Ahmad, Advocate
For the State	:	Mr. Bishweshwar Ram, APP
For Opposite Party No. 2:	:	Md. Qumrul Hoda, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 26-06-2024 Heard learned counsels for the parties.

2. The petitioner, husband of the complainant/O.P.-2, apprehends his arrest in Complaint Case No. 1877 of 2022 registered for the offence punishable under Sections 120B, 147, 323, 498A, 307, 354B 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/O.P.-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/O.P.-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/O.P.-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 S.D.J.M., Katihar, in connection with Complaint Case No. 1877 of 2022, subject to condition as laid down under Section 438(2) of Cr.P.C. with further following conditions:

“(A.) Complainant/O.P.-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/O.P.-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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