

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26449 of 2024

Arising Out of PS. Case No.-96 Year-2021 Thana- BUXAR COMPLAINT CASE District-
Buxar

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Shri Raju Chauhan S/o Haridwar Chauhan R/o Koniya Vijayipura, Plat No. 247, (behind Harsh Inter College) P.S. Adampura, District- Varansi, (U.P.)
... .. Petitioner

Versus

1. The State of Bihar
2. Nisha Devi Wife of Raju Chauhan, D/o Kawlesh Chauhan R/o Koniya Vijayipura, Plat No. 247, (behind Harsh Inter College), P.S. Adampura, District- Varansi (U.P.), at present R/o Piparadh, P.S. Rajpur, District- Buxar
... .. Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan, Advocate
For the Opposite Party/s : Mr. Tarkeshwar Nath Thakur, A.P.P.
Mr. Yogesh Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 15-07-2024 Heard learned counsel for the petitioner, the State and
the opposite party no.2.

2. The petitioner, who is husband of opposite party no.2, apprehends arrest in a case registered for the offence punishable under Section 498A of the Indian Penal Code and Sections 3 & 4 of the Dowry Prohibition Act.

3. It is submitted by learned counsel for the petitioner submits that the petitioner offers and undertakes that he is ready to give maintenance amount of Rs. 3000/-per month, starting from this month to the opposite party no.2.

4. In view of the undertaking of learned counsel for the petitioner that petitioner is ready to give maintenance amount of Rs. 3000/- per month, in the event of arrest/surrender within a period of six weeks from today, 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 the Sub Divisional Judicial Magistrate, Buxar in Complaint Case No. 96C/2021, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure as well as on the following conditions:-

- (i) 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.
- (ii) Petitioner would deposit the aforesaid maintenance amount per month in the saving bank account of the opposite party no.2.
- (iii) 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.
- (iv) 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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