

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27187 of 2024

Arising Out of PS. Case No.-67 Year-2023 Thana- MADHUBANI COMPLAINT CASE
District- Madhubani

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Kailash Mahto Son of Jiwachh Mahto Resident of Village - Balwa, P.S. -
Madhwapur, District - Madhubani

... .. Petitioner/s

Versus

1. The State of Bihar
2. Puja Kumari Daughter of Yogendra Mahto Resident of Village - Durgapatti,
P.S. - Harlakhi, District - Madhubani

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr. Subhash Kumar Jha, Advocate
For the State	:	Mr. Jitendra Kumar Singh, APP
For Opposite Party No. 2:	:	Mr. Ravi Ranjan, Advocate

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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 C.R. No. 67 of 2023 registered for the
offence punishable under Sections 341, 323, 498A, 379, 307,
504 and 34 of the Indian Penal Code.

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 J.M. 1st Class, Benipatti, Madhubani, in connection with C.R. No. 67 of 2023, 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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