

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29667 of 2024

Arising Out of PS. Case No.-640 Year-2020 Thana- TURKAULIYA District- East
Champaran

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Sukesh Kumar Das @ Sukesh Das S/o Nepali Das R/o vill- Semrahiya, P.S. -
Banjariya, Distt. - East Champaran, Motihari

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sunita Kumari Devi W/o Sukesh Kumar Das @ Sukesh Das, D/o Rajendra
Das R/o vill - Ward no. 3, P.s. - Majhauriya, Distt. - West Champaran,
Bettiah

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar, Adv.
For the Opposite Party/s : Mr. Damodar Prasad Tiwary, APP
Mr. Ajay Kumar Singh, Adv.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 22-07-2024 Heard the parties.

2. The petitioner apprehends his arrest in connection with
Turkauliya (Banjariya) P.S. Case No. 640 of 2020 registered
under Section 498A of the Indian Penal Code and Section 3/4 of
the Dowry Prohibition Act.

3. Learned counsel appearing on behalf of the petitioner
submits that the petitioner is the husband of the Opposite party
no. 2. The petitioner offers and undertakes that he is ready to
give maintenance amount of Rs. 3,000/- per month, starting
from this month, to 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. 3,000/- (three thousand) per month to the opposite party no.
2, in the event of arrest or surrender before the learned court



below within a period of six weeks from today, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Motihari, East Champaran in connection with Turkauliya (Banjariya) P.S. Case No. 640 of 2020, subject to the conditions as laid down under Section 438(2) of the Cr.P.C 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 savings bank account number for its communication to the petitioner.

(ii) Petitioner would deposit the aforesaid maintenance amount per month in the savings bank account of the O.P. 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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