

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31500 of 2024

Arising Out of PS. Case No.-1464 Year-2022 Thana- BHAGALPUR COMPLAINT CASE
District- Bhagalpur

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Binay Kumar Gupta @ Vicky Son Of Awdhesh Kumar Sah Resident Of
Village - Jaipur, Police Station - Jaipur, District - Banka

... .. Petitioner/s

Versus

1. The State Of Bihar
 2. Puja Gupta Wife Of Binay Kumar Gupta @ Vicky Resident Of Village -
Nandlalpur, Police Station - Kahalgaon, District - Bhagalpur
- Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Md.Najmul Hodda
For the Opposite Party/s : Mr.Pramod Kumar Pandey,APP
Mr. Diwakar Upadhyaya

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 05-08-2024 Heard learned counsel for the petitioner, Mr. Pramod
Kumar Pandey, learned A.P.P. for the State and learned counsel
for complainant / opposite party no. 2.

2. The petitioner who is husband of
complainant/opposite party no. 2, apprehends his arrest in a
complaint case punishable for the offences under Sections 323,
498-A of the Indian Penal Code.

3. Petitioner is alleged to have committed torture and
harassment to opposite party no. 2 for dowry.

4. Learned counsel for the petitioner submits that 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.



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) per month** to the opposite party no. 2, in the event of arrest/surrender within a period of six weeks from today, let the 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 learned SDJM, Bhagalpur/ concerned court in connection with Complaint Case No. 1464/2022, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure as well as on the following conditions:-

- “(1) 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.
- (2) Petitioner would deposit the aforesaid maintenance amount per month in the savings bank account of the opposite party no. 2.
- (3) 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.
- (4) 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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