

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33940 of 2024

Arising Out of PS. Case No.-235 Year-2022 Thana- KIUL District- Lakhisarai

Raj Kumar @ Raj Kumar Paswan @ Raj Kapur Paswan Son of Late Gyan
Paswan Resident of Village - Gohri, P.S.- Bannubagicha, Distt - Lakhisarai.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rekha Devi D/o Akildeo Paswan R/o vill - Sikharichak, P.O. - Mokamaghat,
P.S. - Mokama, Distt. - Patna

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Narsingh Tanti, Advocate
For the State	:	Ms. Asha Kumari, APP
For Opposite Party No.2	:	Mr. Binod Kr. Pandey, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 30-07-2024 Heard learned counsels for the parties.

2. The petitioner, husband of the
complainant/Opposite Party No. 2, apprehends his arrest in
Complaint Case No. 235C of 2022 registered for the offence
punishable under Sections 498A, 448 and 323 of the Indian
Penal Code and Sections 3 and 4 of the Dowry Prohibition Act.

3. As per complaint case, there is allegation of
commission of matrimonial cruelty with the
complainant/Opposite Party No. 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/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 rupees) per month to complainant/Opposite Party No. 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 Judicial Magistrate 1st Class, Lakhisarai, in connection with Complaint Case No. 235 of 2022, subject to condition as laid down under Section 438(2) of Cr.P.C. with further following conditions:

“(A.) Complainant/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.

(B.) Petitioner would deposit the aforesaid maintenance amount per month in the saving bank account of the complainant/Opposite Party No. 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)

shashank/-

U		T	
---	--	---	--

