

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31960 of 2024

Arising Out of PS. Case No.-198 Year-2023 Thana- SAMASTIPUR COMPLAINT CASE
District- Samastipur

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Rakesh Kumar Son of Late Machhu Ram Resident of Village- Dadhia Belar,
P.S.- Samastipur Muffasil, Dist.- Samastipur

... .. Petitioner/s

Versus

1. The State of Bihar Patna
2. Sita Kumari Daughter of Shravan Rai and Wife of Rakesh Kumar Resident of Village- Dadhia Belar, P.S.- Samastipur Muffasil, Dist.- Samastipur, Presently Resident of Village- Vishanpur Baghnagri, P.S.- Sakra, Dist.- Muzaffarpur

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Jitendra Sinha, Advocate
For the Opposite Party/s : Mr. Pramod Kumar Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 10-07-2024 Heard learned counsel for the parties.

2. The petitioner who is husband of opposite party No. 2, apprehends his arrest in a complaint case punishable for the offences under Sections 498A, 323, 306, 504, 506 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

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. 3000/- 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. 3000/- (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 S.D.J.M., Samastipur, in connection with Complaint Case vide C.R. No.198 of 2023, T.R. No.2690 of 2024, 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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