

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40665 of 2024

Arising Out of PS. Case No.-1391 Year-2022 Thana- SAMASTIPUR COMPLAINT CASE
District- Samastipur

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GOVIND KUMAR MISHRA @ GOBINDA KUMAR MISHRA SON OF
ANIL @ NAWAL MISHRA VILLAGE- SAMTHU BISHANPUR, WARD
NO. 14, PS -ANGARGHAT, DISTRICT- SAMASTIPUR, PRESENTLY
RESIDING AT SAINIKPURI B- BLOCK, KHOPLASI, NEAR SKYNET,
PO- NEW CHAUTA, PS- MATIGARA DARJEELING, WB- 734009

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. KRITI KUMARI DAUGHTER OF SHRI JAGNATH PRASAD Village -
WARD NO. 17, SURYAKANTH KHOIR, LAGUNIYA, PS-
SAMASTIPUR

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Ms. Shama Sinha, Advocate
For the State	:	Mr. Dilip Kumar No. 1, APP
For Opposite Party No.2 :		Mr. Bijay Bhushan Prasad, Advocate

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 23-09-2024 Heard learned counsels for the parties.

2. The petitioner, husband of the

complainant/Opposite Party No. 2, apprehends his arrest in a

complaint case registered for the offence punishable under

Section 498A of the Indian Penal Code and Section 4 of the

Dowry Prohibition Act.

3. Allegation against the petitioner is of matrimonial

cruelty and 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 eight 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 Sub Divisional Judicial Magistrate, Samastipur, in connection with C.R. Case No. 1391 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)

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