

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40384 of 2024

Arising Out of PS. Case No.-232 Year-2019 Thana- COMPLAINT CASE District- Supaul

Shankar Mandal Son Of Late Chandeshwari Mandal Village- Raghopur, Ward
No. 6 PS- Raghopur, Dist- Supaul

... .. Petitioner/s

Versus

1. The State of Bihar
2. Kajal Devi Wife Of Shankar Mandal Village- Raghopur, PS- Raghopur,
Dist- Supaul

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Pramod Mishra, Adv.
For the Opposite Party/s :	Mr.Syed Ehteshamuddin, A.P.P. Mr. Amar Nath Yadav, Adv.

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

5 17-12-2024 Heard learned counsel for the petitioner, learned
counsel for the complainant/opposite party no. 2 and learned A.P.P.
for the State.

02. In the present case, the petitioner is apprehending
his arrest in connection with Complaint Case No. 232C of 2019
registered for the alleged offences under Section 341, 323, 498A &
504 of the Indian Penal Code and Section 4 of the Dowry
Prohibition Act.

03. As per prosecution case, the petitioner is the
husband of the complainant/opposite party no. 2 and allegations
are of inflicting torture upon the complainant related to the
demand of dowry.

04. Learned counsel for the petitioner submits that the



petitioner is innocent and has been falsely implicated in this case. The petitioner never demanded any dowry or never tortured the complainant on this account. The petitioner has always been ready to keep his wife with honour and dignity. The petitioner always tried to bring back his wife, opposite party no. 2, but she is not ready to return to her matrimonial home. Learned counsel further submits that the petitioner undertakes to make payment of Rs. 5000/- per month to the opposite party no. 2 towards her daily expenses till the disposal of Complaint Case No. 232C of 2019.

05. Learned A.P.P. for the State and learned counsel for the opposite party no. 2 oppose the submission made on behalf of the learned counsel for the petitioner. Learned counsel for the opposite party no. 2 submits that the petitioner did not appear before the mediation centre for settlement and has been making wrong submission about willing to keep the opposite party no. 2.

06. Having regard to the facts and circumstances and submission made on behalf of the parties and considering the relationship of the parties and nature of accusation, let the petitioner above named, in the event of his arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of Court of learned A.C.J.M.-1st ,



Birpur, Supaul in connection with Complaint Case No. 232C of 2019, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure and other following conditions:

(i) As per the undertaking, the petitioner would make payment of Rs. 5000/- per month on or before 10^h day of each month till disposal of Complaint Case No. 232C of 2019.

(ii) One of the bailors will be a close relative of the petitioner.

(iii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(iv) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

07. However, it is made clear that this amount will be



subject to adjustment pursuant to further orders made by any
competent court with regard to maintenance to the opposite party
no. 2.

(Arun Kumar Jha, J)

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