

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41855 of 2024

Arising Out of PS. Case No.-1719 Year-2023 Thana- SAMASTIPUR COMPLAINT CASE
District- Samastipur

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Pankaj Kumar @ Pankaj Kumar Mahto Son of Raju Prasad @ Raju Mahto
R/V- Barah Patthar Ward No.- 15, P.S.- Town, District - Samastipur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Suman Kumari Daughter of Ram Naresh Mahto W/o- Pankaj Kumar @
Pankaj Kumar Mahto, R/V- Malinagar, P.S.- Chakmehsi, District -
Samastipur

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr. Ajay Kumar, Advocate
For the State	:	Mr. Gauri Shankar Gupta, APP
For Opposite Party No.2	:	Mr. Kumar Kamal Nayan, Advocate

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 16-07-2024 Heard learned counsels for the parties.

2. The petitioner, husband of the complainant /Opposite Party No. 2, apprehends his arrest in Complaint Case No. 1719/2023 registered for the offence punishable under Section 498A of the Indian Penal Code and under Section 4 of the Dowry Prohibition Act.

3. As per complaint case, this petitioner is alleged to have committed torture and harassment 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 S.D.J.M., Samastipur, in connection with C.R. No. 1719/2023, 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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