

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48619 of 2023

Arising Out of PS. Case No.-91 Year-2020 Thana- WEST CHAMPARAN COMPLAINT
District- West Champaran

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Azad Sai Son of Sanaullah Resident of Village - Mahui, Nawka Tola, Post Office - Mahui, Police Station - Ramnagar, District - West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rabra Khatoon Wife of Azad Sai Daughter of Majarul Haque, Resident of Village - Mahui, Nawka Tola, Post Office - Mahui, Police Station - Ramnagar, District - West Champaran at present Resident of Village - Bhalahwa, Post Office - Mahui, Police Station - Chautarwa, District - West Champaran.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ajeet Kumar Bhardwaj
For the Opposite Party/s : Mr.Sanjay Kumar Pandey
Mr.Vijay Kumar Singh No.1

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 09-05-2024 Heard learned counsel for the petitioner, learned
A.P.P. for the State and learned counsel for opp. party no. 2.

2. The petitioner who is husband of opposite party
No. 2, apprehends his arrest in a complaint case punishable for
the offences under Sections 406, 498A of the Indian Penal Code.

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. 3,000/- 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. 3,000/- (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 learned A.C.J.M. - V, Bagaha, West Champaran / concerned court in connection with Complaint Case No. 91 of 2022, Tr. No. 1450 of 2022, 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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