

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58283 of 2023

Arising Out of PS. Case No.-556 Year-2022 Thana- AURANGABAD COMPLAINT CASE
District- Aurangabad

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Santosh Gupta @ Santosh Kumar S/O Suresh Sao Resident Of Village-
Silard, P.S- Muffasil (AURANGABAD), Distt.- Aurangabad, Bihar. At
Present- Navi Basti Nehru Nagar, Laki Telar Ke Picche, Bhivandi, P.O And
P.S- Bhivandhi, Distt.- Thane, Maharashtra.

... .. Petitioner/S

Versus

1. The State Of Bihar And Others Bihar
2. Savita Kumari W/O Santosh Gupta @ Santosh Kumar R/O Village- Silard,
P.O- Silard, P.S- Muffasil (AURANGABAD), Distt.- Aurangabad, Bihar. At
Present Resident Of Village- Sikariya, P.O And P.S- Kutumba, Distt.-
Aurangabad, Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :Ms/Mrs. Alka Singh, Advocate

For the Opposite Party/s :Mr.Anand Kishore Choudhary, Addl Public Prosecutor
Ms/Mrs. Mukul kumari, Advocate

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 27-06-2024 Heard learned counsel for the petitioner, the State
and the opposite party no.2.

2. The petitioner, who is husband of opposite party
no.2, apprehends arrest in a case registered for the offence
punishable under Sections 498A, 323/34, 420 of the Indian
Penal Code and Sections 3 & 4 of the Dowry Prohibition Act.

3. Mediator's report dated 21.6.2024, reveals that in
spite of efforts, dispute between the parties could not be
resolved through process of mediation. However, it is submitted
by learned counsel for the petitioner that the petitioner offers
and undertakes that he is ready to give maintenance amount of
Rs. 3000/-per month, starting from this month to the opposite
party no.2.



4. In view of the undertaking of learned counsel for the petitioner that petitioner is ready to give maintenance amount of Rs. 3000/- per month, in the event of arrest/surrender within a period of six weeks from today, 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 the Sub Divisional Judicial Magistrate Aurangabad in Complaint Case No. 556/2022, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure as well as on the following conditions:-

(i) 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.

(ii) Petitioner would deposit the aforesaid maintenance amount per month in the saving bank account of the opposite party no.2.

(iii) 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.

(iv) 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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