

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67046 of 2023

Arising Out of PS. Case No.-718 Year-2021 Thana- WEST CHAMPARAN COMPLAINT
District- West Champaran

Ashok Kumar Dubey @ Ashok Dubey Son of Late Babulal Dubey Resident
of Village-Jatwaliya, P.S.-Chainpur, District-East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Beauty Devi Daughter of Manoj Kumar Dubey Resident of Village-
Budhwari Tola Ward No. 23, P.S.-Bagha, District-West Champaran.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mrs.Rashmi Jha, Advocate
For the State	:	Mr. Md. Shakir Ahmad, APP
For the O.P.-2	:	Mr. Anand Kishore Choudhary, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 09-05-2024 Heard learned counsel for the petitioner, learned
A.P.P. for the State and learned counsel for the complainant /
opposite party no. 2.

2. The petitioner, husband of the opposite party no. 2,
apprehends his arrest in a complaint case punishable for the
offence under Section 498-A of the Indian Penal Code and
Section 3 / 4 of the Dowry Prohibition Act.

3. Earlier, vide order dated 08.11.2023 passed by a
coordinate Bench of this Court, the petitioner was extended the
privilege of provisional bail, in view of submission made on
behalf of petitioner that he is willing to restore his conjugal life
with the opposite party no. 2 and for this purpose, he would go



to parent's house of opposite party no. 2 and bring O.P.-2 back to the matrimonial home and live with her with full dignity and care.

4. However, learned counsel for the opposite party no. 2 submits that in spite of undertaking given on behalf of petitioner, the petitioner did not take any step to bring back opposite party no. 2 to her matrimonial home.

5. Under the aforesaid facts & circumstances, 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.

6. In view of the fact that petitioner is ready to give maintenance amount of ***Rs. 3,000/- (three thousand) per month*** to the opposite party no. 2, the provisional bail granted to the petitioner, vide order dated 08.11.2023, is hereby confirmed, subject to following conditions:-

“(A) 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.

(B) Petitioner would deposit the aforesaid maintenance amount per month in the savings bank account of the 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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