

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77193 of 2023

Arising Out of PS. Case No.-1981 Year-2022 Thana- GOPALGANJ COMPLAINT CASE
District- Gopalganj

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Sami Ahmad @ Md. Sami Son Of Zakir Ahmad Resident Of Ward No 2, Ps
Gopalganj, Dist Gopalganj, Bihar

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sufia Khatoon W/o Sami Ahmad, D/o Manager Hussain R/o Hasanpura, P.s.
- Hasanpura, Distt. - Siwan, Bihar, Present address - Sareya, ward no 2, P.s. -
Gopalganj, Distt. - Gopalganj

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Mr.Sumit Shekhar Pandey
For the Opposite Party/s :	Mr.Braj Kishore Pd.(App)
	Mr.Nawal Kishor Singh
	Mr. Sindhu Krishna Mr. Shyam Kumar Chaudhary

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 05-03-2024 Earlier, vide order dated 29.11.2023, the matter was referred to Mediation and Conciliation Centre, Patna High Court, but as per report of the Mediator, at flag 'M', it appears that the dispute between the parties could not be resolved and mediation has failed.

2. Heard learned counsel for the petitioner, learned A.P.P. for the State and learned counsel appearing on behalf of complainant / opposite party no. 2.

3. The petitioner, husband of the complainant/O.P.-2, apprehends his arrest in a complaint case punishable for the offence under Sections 341, 323, 324, 504, 498A/34 of the



Indian Penal Code and Section 3 / 4 of the Dowry Prohibition Act.

4. As per complaint case, this petitioner is alleged to have committed torture and harassment with the complainant/O.P.-2 due to non-fulfillment of demand of dowry.

5. Learned counsel for the petitioner submits that petitioner is ready to give maintenance amount of Rs. 3,000/- (three thousand) per month, starting from this month, to complainant/O.P.-2.

6. 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 complainant/O.P.-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 Sub-Divisional Judicial Magistrate, Gopalganj / concerned court in connection with Complaint Case No. 1981 of 2022 (Trial No. 2167 of 2023), subject to condition as laid down under Section 438(2) of Cr.P.C. with further following conditions:

“(A.) Complainant/O.P.-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/O.P.-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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