

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68743 of 2023

Arising Out of PS. Case No.-499 Year-2020 Thana- DARBHANGA COMPLAINT CASE
District- Darbhanga

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Amarjeet Baitha S/O- Sogarth Baitha Village- Bharathi Ps- Simri Dist-
Darbhanga

... .. Petitioner/s

Versus

1. The State of Bihar
2. Puja Devi wife of Amarjeet Baitha Village- Brahampur Ps- Kamtaul Dist-
Darbhanga

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr. Baidya Nath Prasad, Advocate
For the State	:	Mr. Umeshanand Pandit, APP
For the O.P.-2	:	Mr. Kumar Praveen, Advocate

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 07-05-2024 Heard learned counsel for the petitioner, Sri

Umeshanand Pandit, 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 Sections 498-A and 406 of the Indian Penal

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

3. Earlier, vide order dated 01.11.2023 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 is ready



to visit the parental house of opposite party no. 2 to bring her 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 take back opposite party no. 2 to her matrimonial home.

5. In response thereto, 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 01.11.2023, 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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