

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68848 of 2023

Arising Out of PS. Case No.-543 Year-2022 Thana- DIGHA District- Patna

Vijay Kumar S/O Birendra Rai R/O Mohalla- Ramjichak Bata Gandhi Gali,
P.S- Digha, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr.Usha Kumari Singh
For the State	:	Mr.Dr.Mrityunjaya Kr.Gautam
For the Informant	:	Mr.Ashok Kumar Sinha

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 18-04-2024 Heard learned counsel for petitioner, learned A.P.P. for
the State and learned counsel for the informant.

2. The petitioner, who is husband of informant, apprehends his arrest in a case registered for the offences under Sections 341, 342, 323, 504, 506, 354/34 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

3. Petitioner is alleged to have committed torture and harassment to informant for dowry.

4. Earlier, the matter was referred to the Mediation Center to resolve the dispute between the parties, but from perusal of Mediator's Report dated 19.01.2024, it appears that the mediation between the parties has failed.

5. Learned counsel for the petitioner submits 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 informant.

6. In view of the undertaking of learned counsel for the petitioner that petitioner is ready to give maintenance amount of **Rs. 3000/-** (three thousand) per month to the informant, 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 S.D.J.M., Patna in connection with Digha P.S. Case No. 543 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) Informant 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 informant.
- (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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