

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77327 of 2023**

Arising Out of PS. Case No.-1840 Year-2022 Thana- SIWAN COMPLAINT CASE District-
Siwan

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Anand Kumar Singh S/O Umesh Singh Village- Parasiya Chhitani Singh, P.O.
Parasiya, Ps. Khampar, Dist. Deoriya (Uttar Pradesh)

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Sapna Devi W/O Anand Kumar Singh, D/O Shrawan Kumar Singh Village-
Parasiya Chhitani Singh, P.O. Parasiya, Ps. Khampar, Dist. Deoriya (Uttar
Pradesh), At Present Resident Of Village- Mahuwari Purab Tola, P.O.
Mahuari, Ps. Siwan Muffasil, Dist. Siwan.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Mr.Ajay Kumar Tiwary
For the Opposite Party/s :	Mr.Md. Fahimuddin
	Mr.Ajay Kumar Pandey,
	Ms. Shyama Rani

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

5 18-04-2024 Heard learned counsel for petitioner, learned A.P.P.

for the State and learned counsel for the complainant / opposite

party No. 2.

2. The petitioner, who is husband of opposite party
No.2, apprehends his arrest in a case registered for the offences
under Sections 323, 498A, 504/34 of the Indian Penal Code.

3. Petitioner is alleged to have committed torture and
harassment to opposite party no. 2 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 10.04.2024 (Flag 'B'), 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 opposite party No. 2.

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 opposite party No. 2, 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 Judicial Magistrate 1st Class, Siwan in connection with Complaint Case No. 1840 of 2022 (Trial No. 472 of 2023), subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure as well as on the following conditions:-

- “(1) 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.
- (2) Petitioner would deposit the aforesaid maintenance amount per month in the savings bank account of the opposite party No. 2.
- (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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