

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71225 of 2023

Arising Out of PS. Case No.-970 Year-2020 Thana- PURNIA COMPLAINT CASE District-
Purnia

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KRISHNA LAL MANDAL @ KRISHNA KUMAR @ KRISHNA KUMAR
MANDAL @ KRISHNA MANDAL SON OF BIPIN MANDAL R/O
VILLAGE- BELWARI, P.S- DAGARUA, DISTRICT- PURNEA

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. SUNITA DEVI D/O DAYANAND MANDAL R/O VILLAGE- BELWARI,
P.S.- DAGARUA, DISTRICT- PURNEA

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bijendra Kumar Singh, Advocate
For the Opposite Party/s : Mr. Kalyan Shankar, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 29-02-2024 1. Heard learned counsel appearing on behalf of the

petitioner and learned Additional Public Prosecutor appearing

on behalf of the State.

2. The accused/petitioner is named in the F.I.R. and
apprehending his arrest in connection with Complaint Case No.
970 of 2020 registered for the offences punishable under Section
498 A of the Indian Penal Code and Section 4 of the Dowry
Prohibition Act.

3. The allegation against the petitioner is to commit
cruelty against O.P. No. 2/wife.

4. Learned counsel appearing on behalf of the
petitioner submitted that petitioner is desirous to lead his



conjugal life with O.P. No. 2/wife. Learned counsel also filed statement of complainant/O.P. No. 2/wife, where she stated during enquiry that she wanted to lead her conjugal life with petitioner. It is pointed that allegation of cruelty and demand of dowry appears general and omnibus. It is submitted that O.P. No. 2/wife is presently living with her parents and as a good gesture, petitioner is ready to pay Rs. 3,000/- as an ad-interim maintenance amount to O.P. No. 2/wife without fail before 7th day of every english calendar month, till disposal of the present case before Learned Trial Court.

5. Learned APP appearing on behalf of the State, opposes the prayer for bail.

6. In view of the facts and circumstances as mentioned above and by taking note of the fact as petitioner is ready to pay ad-interim maintenance amount of Rs. 3,000/- to O.P. No. 2/wife, till disposal of the case, accordingly the petitioner above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks, is directed to be released on bail, furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge 2nd, Purnea/concerned Court where the case is



pending in connection with Complaint Case No. 970 of 2020
subject to the conditions as laid down under Section 438(2) of
the Cr.P.C. with further conditions :-

*(i) Petitioner shall pay Rs.
3,000/- as an ad-interim maintenance
amount to O.P. No. 2/wife on or before
7th day of English calendar month.
Payment for the month of February be
made in cash at the time of furnishing
bail bond, whereas maintenance
amount from the month of March
onward be paid through bank account
of O.P. No. 2/wife, if not available
same be opened by petitioner, on his
expenditure, if any.*

*(ii) If petitioner fails to pay
ad-interim maintenance for two
consecutive months the bail bond of
petitioner shall be cancelled by the
learned Trial Court, itself, if pressed
by O.P. No.2.*

(iii) Both conditions as



*above shall remain in force till finding
of learned Family Court on
maintenance issue. Amount paid shall
be adjusted accordingly.*

(Chandra Shekhar Jha, J.)

S.Tripathi/-

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