

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72749 of 2023

Arising Out of PS. Case No.-510 Year-2022 Thana- BEGUSARAI COMPLAINT CASE
District- Begusarai

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Manoj Kumar Sharma Son Of Shankar Sharma R/O Village- Maranchi, Ujagar, (MARANCHI Ujagarpur), Post- Hasanpur Sugar Mill, P.S.- Hasanpur, Dist.- Samastipur, Presently Residing At Mohalla- House No.- Gmc-3, Bank Colony, Jyoti Kuchi, P.S.- Ambari, Dist.- Kamrup (ASSAM)
... .. Petitioner

Versus

1. The State Of Bihar
2. Madhu Kumari Wife Of Manoj Kumar Sharma, D/O Late Lalan Sharma At Present R/O Village- Bathauli, Post- Tilrath, P.S.- Barauni, Dist.- Begusarai
... .. Opposite Parties

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Appearance :

For the Petitioner : Mr.Sandip Kumar Gautam, Advocate
For the Opposite Party : Mr.Shyam Kumar Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

8 09-09-2024 Heard learned counsel for the petitioner, the State and the opposite party no.2.

2. The petitioner, who is husband of opposite party no.2, apprehends arrest in a case registered for the offence punishable under Sections 498A, 307, 406, 323, 341, 504/34 the IPC and ¾ of the Dowry Prohibition Act.

3. Allegation against the petitioner is of matrimonial cruelty and demand of dowry.

4. While denying the allegations, learned counsel for the petitioner has filed supplementary affidavit. In paragraph 2 of the supplementary affidavit, it is submitted that by order dated 27.9.2023, passed in Matrimonial Case No.128 of 2022, by the Principal Judge, Family Court, Begusarai petitioner was directed to pay maintenance amount of Rs.8,000/- per month to opposite party no.2 since the date of filing of the case, i.e.,



20.8.2022. It is further submitted that in the maintenance case, petitioner has deposited Rs.50,000/- in the Court Nazarat, Begusarai. He has further stated that the order dated 27.9.2023 is ex-party and the petitioner has challenged the same before this Court.

5. Learned counsel for the State and opposite party no.2 oppose the prayer for bail.

6. In the facts and circumstances of the case, in the event of arrest/surrender within a period of eight weeks from today, 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 the Sub Divisional Judicial Magistrate, Begusarai in Complaint Case No. 510C/2022, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure with the condition that the petitioner shall regularly pay the maintenance to opposite party no.2 as per order passed by the Family Court in the maintenance case.

Shashi

(Prabhat Kumar Singh, J)

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