

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76208 of 2023

Arising Out of PS. Case No.-211 Year-2023 Thana- UCHKAGAON District- Gopalganj

ARMAN HUSSAIN S/O MURTUJA ANSARI @ MURTUJA MIYA
VILLAGE- SATHI, PS. UCHAKAGAON, DIST. GOPALGANJ

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. RESHMA KHATOON W/O ARMAN HUSSAIN, D/O YUNUS ALI
VILLAGE- GOSAI MANJHA, PS. FULWARIYA, DIST. GOPALGANJ

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Lokesh Kumar Singh, Advocate
For the State	:	Mr. Narsingh Tanti, APP
For Opposite Party No.2	:	Mr. Javed Aslam, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

6 02-07-2024 Heard learned counsels for the parties.

2. The petitioner, husband of the informant/Opposite Party No.2, apprehends his arrest in Uchakagaon P.S. Case No. 211 of 2023 registered for the offence punishable under Sections 341, 323, 504, 498A, 506 and 34 of the Indian Penal Code and Sections 3 and 4 of the Dowry Prohibition Act.

3. As per complaint case, this petitioner is alleged to have committed torture and harassment with the informant/Opposite Party No.2 due to non-fulfillment of demand of dowry.

4. Earlier, the matter was referred for mediation to Patna High Court Mediation and Conciliation Centre vide order dated 29.02.2024. However, from perusal of the report dated



30.05.2024, it is apparent that the mediation has failed.

5. Learned counsel for the petitioner submits that petitioner is ready to give maintenance amount of Rs. 3,000/- (three thousand rupees) per month, starting from this month, to informant/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. 3,000/- (three thousand rupees) per month to informant/Opposite Party No.2***, in the event of arrest/surrender within a period of six weeks from today, let the petitioner, above-named, 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 Additional Chief Judicial Magistrate-IX, Gopalganj, in connection with Uchakagaon P.S. Case No. 211 of 2023, subject to condition as laid down under Section 438(2) of Cr.P.C. with further following conditions:

“(A.) Informant/O.P.-2 would file an affidavit before the court below and bring on record her saving bank account number for its communication to the petitioner.

(B.) Petitioner would deposit the aforesaid maintenance amount per month in the saving bank account of the informant/O.P.-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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