

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78696 of 2023

Arising Out of PS. Case No.-176 Year-2021 Thana- BAHADURPUR District- Darbhanga

Md. Arman @ Md. Arman Ali Son of Md. Mumtaz Resident of village -
Ganipur, Tarauni, P.S.- Bahadurpur, Dist.- Darbhanga.

... .. Petitioner/s

Versus

1. The State of Bihar

2. Saniya Khatoon W/o Md. Arman @ Md. Arman Ali, D/o Bhuttu Kha, R/o
Vill. Ganipur, Tarauni, P.S. Bahadurpur, Dist. Darbhanga.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Baidya Nath Prasad

For the Opposite Party/s : Mr.Awadhesh Kumar Singh

Mr.Iqbal Asif Niazi

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 01-05-2024 Earlier, the matter was referred to Mediation Centre,

vide order dated 19.03.2024, but the dispute between the parties

could not be settled through the process of mediation and as

such, mediation failed (report at flag 'M')

2. Heard learned counsel for the petitioner, learned
A.P.P. for the State and learned counsel for the informant /

opposite party no. 2.

3. The petitioner, who is husband of opposite party
No. 2, apprehends his arrest in a case registered for the offences
under Sections 498A, 323, 325, 379, 34 of the Indian Penal
Code and Section 3/4 of the Dowry Prohibition Act.

4. Petitioner is alleged to have committed torture and
harassment to opposite party no. 2 for dowry.



5. Learned counsel for the petitioner submits that the petitioner offers and undertakes that he is ready to give maintenance amount of Rs. 3,000/- 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 J.M. 1st Class, Darbhanga in connection with Bahadurpur P.S. Case No. 176 of 2021, 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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