

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82391 of 2023

Arising Out of PS. Case No.-1184 Year-2022 Thana- PHULWARISHARIF District- Patna

NAWAL KISHORE @ NAWAL KISHOR S/O SHYAM BABU RAM
VILLAGE- DIXIT CHAK, SADISOPUR, PS. BIHTA, DIST. PATNA AT
PRESENT ADDRESS- NEW SABAJURA, NEAR BMP-16, PS.
PHULWARISHARIF, DIST. PATNA

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. RAJ KUMARI DEVI W/O RAM BABU RAM RESIDENT OF
JEHANABAD POLICE LINE, PS.AND DIST. JEHANABAD

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Sushil Kumar Jha
For the Opposite Party/s :	Mr.Damodar Prasad Tiwary
	Mr.Amit Anand

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 03-07-2024 Earlier, vide order dated 05.03.2024, the matter was referred to Mediation & Conciliation Centre of Patna High Court, but the dispute between the parties could not be resolved through the process of mediation and as such, mediation failed (Report dated 20.04.2024 is 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 daughter of opposite party no. 2, apprehends his arrest in a case registered for the offences punishable under Sections 341, 323, 498(A),



364/34 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

4. Petitioner is alleged to have committed torture and harassment with daughter of 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 daughter of 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/- (Rupees three thousand) per month** to the daughter of 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 A.C.J.M.- XIV, Patna in connection with Phulwarisharif P.S. Case No. 1184 of 2022, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure as well as on the following conditions:-

“(1) Daughter of 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 daughter of 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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