

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80465 of 2023

Arising Out of PS. Case No.-1223 Year-2022 Thana- MUNGER COMPLAINT CASE
District- Munger

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Mukesh Kumar S/O Mahesh Yadav Resident Of Village- Rambiharipur
(Manjhgain), P.S.- Haveli Kharagpur, District- Munger.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Anju Kumari W/O Mukesh Kumar, D/O Dwarika Yadav Resident Of
Village- Rambiharipur (Manjhgain), P.S.- Haveli Kharagpur, District-
Munger, Presently Reside At Gagor, P.S.- Korma, District- Sheikhpura

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ravi Roushan
For the Opposite Party/s : Mr.Nitya Nand Tiwary
Mr.Jyoti Ranjan Jha

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 18-04-2024 Heard learned counsel for petitioner, learned A.P.P.

for the State and learned counsel for the complainant/opposite
party no. 2.

2. The petitioner, who is husband of opposite party
no.2, apprehends his arrest in a complaint case punishable for
the offences under Sections 323, 498A/504 of the Indian Penal
Code.

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

4. Earlier, the matter was referred to the Mediation
Center to resolve the dispute between the parties, but from



perusal of Mediator's Report dated 15.04.2024, it appears that the mediation between the parties has failed.

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. 3,000/- (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 learned A.C.J.M. - IV, Munger in connection with Complaint Case No. 1223C 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) 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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