

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86380 of 2023

Arising Out of PS. Case No.-1556 Year-2021 Thana- GOPALGANJ COMPLAINT CASE
District- Gopalganj

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Rahul Kumar @ Golu Singh @ Rahul Singh @ Golu Singh, aged about 25 years, son of Awadesh Singh, resident of village -Ratan Sarai Jaffar Tola, P.S- Barauli, District- Gopalganj

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Upendra Singh, aged about 50 years, son of Deenanath Singh, resident of Village- Mishrawaliya, police Station – Manjhagarh, District - Gopalganj

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Umesh Kumar Singh, Advocate
For the State	:	Mr. Surendra Kumar, APP
For the OP No.2	:	Mr. Yogendra Tiwari, Advocate

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CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

3 08-05-2024 Heard learned counsel for the petitioner; learned Additional Public Prosecutor for the State as well as learned counsel for the informant.

2. The petitioner apprehends arrest in connection with Complaint Case No.1556 of 2021 dated 29.09.2021, instituted under Sections 498-A of the Indian Penal Code.

3. The allegation against the petitioner is of torturing the daughter of the complainant for non fulfillment of demand of dowry.

4. Learned counsel for the petitioner submits that petitioner is the husband of the daughter of the opposite party



no.2. He is willing and ready to keep his wife with full honour and dignity but she is not willing to live with the petitioner. It is further submitted that earlier matter was referred to Mediation Centre but the same has failed.

5. Learned APP as well as learned counsel for the opposite party no. 2 has opposed the prayer for bail. Learned counsel for the opposite party no. 2 submits that he is ready for one time settlement.

6. Counsel for the petitioner showed his inability for one time settlement, however, he is ready to pay maintenance to the opposite party no.2.

7. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Gopalganj, in Complaint Case No.1556 of 2021, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973, and further payment of Rs.5,000/- (five thousand) per month by the petitioner to the daughter of the opposite party no.2/wife of the



petitioner.

8. The aforesaid payment shall be made to the wife of the petitioner by 10th of every succeeding month in her Savings Bank Account. The Court below shall ensure that Savings Bank Account number of the wife of the petitioner is made available to the petitioner at the earliest so that he may deposit the amount, in question, every month.

9. If the petitioner fails to deposit the payment of any month and the same is brought to the knowledge of the Court below, the court below shall pass appropriate order including cancellation of bail of the petitioner.

10. The application stands allowed.

(Khatim Reza, J)

J. Alam/-

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