

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85008 of 2023

Arising Out of PS. Case No.-245 Year-2023 Thana- ARARIA District- Araria

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Ajit Kumar S/o Mahendra Yadav R/o village-Kamarganj, P.S-Sultanganj,
District-Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Kajal Kumari W/o Ajit Kumar, D/o Sadanand Yadav R/o village-Kamarganj,
P.S-Sultanganj, District-Bhagalpur.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dr. Manoj Kumar
For the Opposite Party/s : Mr.Dr. Ajeet Kumar
Mr.Rajive Ranjan Singh

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 02-05-2024 Heard learned counsel for the petitioner, learned
A.P.P. for the State and learned counsel for opp. party no. 2.

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

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

4. Learned counsel for the petitioner submits that
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.



5. 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 Chief Judicial Magistrate, Araria / concerned court in connection with Araria P.S. Case No. 245 of 2023, 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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