

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.16277 of 2024**

Arising Out of PS. Case No.-4382 Year-2019 Thana- PATNA COMPLAINT CASE District-  
Patna

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Shailesh Suman Son of Shri Shrishchandra Srivastava Resident of Flat No.-  
301, Harimadhav Krishna Vihar Apartment, Near Sri Krishna Niketan School,  
P.O. and P.S.- Buddha Colony, District - Patna, Pin Code - 800001

... .. Petitioner/s

Versus

1. The State of Bihar  
2. Shipra Raj, W/o Shailesh Suman, D/o Kumod Kumar Shrivastava, R/o  
House No. 259, Road No. 11A, Patliputra Colony, P.S. Patliputra, District  
Patna – 800013.

... .. Opposite Party/s

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**Appearance :**

|                    |   |                                                                               |
|--------------------|---|-------------------------------------------------------------------------------|
| For the Petitioner | : | Mr. Abhinav Shrivastava (Sr.Adv.)<br>Mr. Raushan, Adv., Mr. Sahil Kumar, Adv. |
| For the State      | : | Mr.Md. Iftexhar Mahmood, APP                                                  |
| For the OP-2       | : | Mr. Y.C.Verma, Sr.Adv.<br>Mr. Kumod Kumar Shrivastava, Adv.                   |

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH**  
**ORAL ORDER**

7      15-01-2025                      Pursuant to order of this Court, 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 kept at flag 'M').

2. Heard learned senior counsel for the petitioner, learned A.P.P. for the State and learned senior counsel for the complainant / opposite party no. 2.

3. The petitioner, who is husband of opposite party no. 2, apprehends his arrest in a complaint case punishable for the



offences under Sections 323, 324, 313, 307, 406, 498(A) r/w 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 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. 5,000/- 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. 5,000/- (Rupees five thousand) per month** to the opposite party no. 2, in the event of arrest/surrender within a period of eight 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 Judicial Magistrate 1<sup>st</sup> Class, Patna in connection with Complaint Case No. 4382(C) of 2019, 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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