

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54096 of 2024

Arising Out of PS. Case No.-200 Year-2022 Thana- MADHUBANI COMPLAINT CASE
District- Madhubani

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Jitendra Mandal @ Jitendra son of Ram Sogarath Mandal Village- Khojakipur
Ps- Sadar Sonaki OP Dist- Darbhanga

... .. Petitioner/s

Versus

1. The State of Bihar
2. Babita Devi D/o- Parmeshwar Mandal Village- Dhajawa Ps- Bisfi Dist- Madhubani

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr. Udit Narayan Singh, Advocate
For the State	:	Mr. Narsingh Tanti, APP
For Opposite Party No.2	:	Mr. Saroj Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 07-01-2025 Heard learned counsels for the parties.

2. Earlier, the matter was referred to Mediation Centre, but the dispute between the parties could not be settled through the process of mediation and as such, mediation failed (report at flag 'M').

3. The petitioner, husband of the complainant/Opposite Party No. 2, apprehends his arrest in a complaint case registered for the offence punishable under Sections 323, 498A, 494 and 34 of the Indian Penal Code.

4. Allegation against the petitioner is of matrimonial cruelty and of demand of dowry.

5. Learned counsel for the petitioner submits that



petitioner is ready to give maintenance amount of Rs. 3,000/- (three thousand rupees) per month, starting from this month, to complainant/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 rupees) per month to complainant/Opposite Party No. 2***, in the event of arrest/surrender within a period of eight weeks from today, let the petitioner, above-named, 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 1st Class, Benipatti, in connection with C.R. Case No. 200 of 2022, subject to condition as laid down under Section 438(2) of Cr.P.C. with further following conditions:

“(A.) Complainant/Opposite Party No. 2 would file an affidavit before the court below and bring on record her saving bank account number for its communication to the petitioner.

(B.) Petitioner would deposit the aforesaid maintenance amount per month in the saving bank account of the complainant/Opposite Party No. 2 .

(C.) 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.

(D.) 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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