

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55815 of 2024

Arising Out of PS. Case No.-151 Year-2023 Thana- JEHANABAD COMPLAINT CASE
District- Jehanabad

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Santosh Sao @ Santosh Kumar Sao son of Bhuneshwar Sao Village- Helarpur
Ps- Kinjar Dist- Arwal A/P- Odiyapara Gali Sanatan Mistri Lane, W.No-
63/64, Howrah Ps- Golawari Dist- Howrah W.B

... .. Petitioner/s

Versus

1. The State of Bihar
2. Tara Devi wife of Santosh Sao @ Santosh Kumar Sao, D/o- Late Ram Bali
Sao Village- Helarpur Ps- Kinjar Dist- Arwal A/P- Samanpur Bado Ps-
Kinjar Dist- Arwal

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr. Sunil Kumar, Advocate
For the State	:	Mr. Umeshanand Pandit, APP
For Opposite Party No.2	:	Mr. Mukesh 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 'X').

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 498A and 323 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 Chief Judicial Magistrate, Arwal, in connection with Complaint Case No. 151 of 2023, 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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