

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54032 of 2024

Arising Out of PS. Case No.-1130 Year-2022 Thana- BEGUSARAI COMPLAINT CASE
District- Begusarai

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SUBHASH PASWAN SON OF JAGDISH PASWAN R/V- VILLAGE-
DULARPUR, P.S.- TEGHRA, DISTT.- BEGUSARAI

... .. Petitioner/s

Versus

1. The State of Bihar
2. MUNNI DEVI WIFE OF SUBHASH PASWAN R/V- DULARPUR, P.S.-
TEGHRA, DISTT.- BEGUSARAI, PRESENTLY D/O- RAM PASWAN,
PAPROUR, WARD NO. 2, P.S.- BARAUNI, DISTT.- BEGUSARAI

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shashank Shekhar
For the Opposite Party/s : Mr.Ram Anurag Singh

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 16-01-2025 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 'A').

2. Heard learned counsel for the petitioner, the State and the opposite party no.2.

3. The petitioner, who is husband of opposite party no.2, apprehends arrest in a case registered for the offence punishable under Sections 498A, 323, 504 and 307 of the Indian Penal Code and sections 3 and 4 of the D.P. 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 at no point of time the petitioner has demanded dowry. As a matter of fact the O.P. No. 2 does not want to live with the petitioner. The petitioner is ready to keep the complainant with full honour and dignity. It is lastly submitted that the 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.

6. Learned counsel for the State as well as opposite party no. 2 oppose the prayer for bail. Learned counsel for opposite party no.2 submits that the petitioner being husband of opposite party no.2, in connivance with his family members, subjected her to harassment and cruelty for non-fulfillment of demand of dowry and ousted her from matrimonial house. It is further submitted that she has no means of livelihood and is on the verge of starvation.

6. In view of the undertaking of learned counsel for the petitioner that petitioner is ready to give maintenance amount of Rs. **3,000/- (Rupees three 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 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 the Chief Judicial Magistrate 1st Class, Begusarai in connection with Complaint Case No. 1130C of 2022 subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure as well as on the following conditions:-

(i) 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.

(ii) Petitioner would deposit the aforesaid interim relief per month in the saving bank account of the opposite party no.2.

(iii) In case, petitioner fails to deposit the aforesaid amount of temporary relief/solace for two consecutive months, the court below would be at liberty to cancel the bail-bond.

(iv) 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)

Prakash/-

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