

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76731 of 2024

Arising Out of PS. Case No.-86 Year-2023 Thana- MAHILA PS District- Darbhanga

Subhash Kumar Son of Dhirendra Mandal Village- Dohat Narayan, P.S.-
Baheri, Distt.- Darbhanga

... .. Petitioner/s

Versus

1. The State of Bihar Patna
2. Sangita Kumari Wife of Subhash Kumar, D/O Ramkrishna Mandal R/at
Dahiyar, P.S.- Hathauli, Dist.- Samastipur

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Singh, Advocate
For the Opposite Party/s : Mrs. Asha Devi, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

5 01-05-2025 Heard Mr. Ranjeet Kumar Singh, learned counsel for

the petitioner and Mrs. Asha Devi, learned Additional Public

Prosecutor for the State as well as learned counsel for the

informant.

2. The petitioner is apprehending his arrest in
connection with Mahila P.S. Case No. 86 of 2023, G.R. No.
3214 of 2023 F.I.R. dated 15.05.2023 for the offences
punishable under Sections 498(A), 494, 323, 34 and 506 of the
Indian Penal Code and Sections 3 and 4 of the D.P. Act.

3. According to prosecution case, the petitioner
after marriage with the informant started to demand dowry and
due to non-fulfillment of the same he started to assault the



complainant.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offences as alleged in the F.I.R. He further submits the petitioner has filed a Matrimonial Case No. (Divorce) 266 of 2023 before the learned Principal Judge, Family Court, Darbhanga and the petitioner is ready to pay Rs. 5,000/- per month to the informant as a maintenance till the disposal of the maintenance case, if any,

5. The learned counsel for the informant as well as Additional Public Prosecutor for the State have no objection if the petitioner pays Rs. 5,000/- per month as a maintenance.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released 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 learned Chief Judicial Magistrate, Darbhanga in connection with Mahila P.S. Case No. 86 of 2023, G.R. No. 3214 of 2023, subject to the



conditions as laid down under Section 438(2) of the Code of Criminal Procedure/482(2) of the B.N.S.S., 2023 and with other following conditions:-

i. The petitioner is directed to pay Rs. 5,000/- as a maintenance in the first week of every/per month to the complainant, namely, Sangita Kumari in her bank from the month of May, 2025 whose details are- Name:-Sangita Kumari Account No.:-34688116170, IFSC:-SBIN0011829 Branch:-Baheri, Darbhanga and if the petitioner fails to pay the aforesaid maintenance amount to the complainant, the complainant is at liberty to move before the appropriate forum for cancellation of petitioner's bail bond.

ii. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

iii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iv. And further condition that the court below shall



verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

Jyoti Kumari/-

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