

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48166 of 2014

Arising Out of PS.Case No. -40 Year- 2014 Thana -MAHILA PS District- GOPALGANJ

Prithvi Lal Soni Son of Bishnu Lal Resident of village- Madhurapur, P.S.-
Barharia, District- Siwan.

.... Petitioner/s

Versus

1. The State of Bihar
2. Khushboo Devi D/o Raghunath Sah R/o Chandra Gokul Road Gopalganj,
P.S AND District- Gopalganj

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Pandey

For the Opposite Party/s : Mr. Veena Kumari Jaiswal(App)

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

6 29-09-2015 Heard learned counsel for the petitioner and learned
counsel for the opposite Party No. 2.

The petitioner apprehends his arrest in connection with
Mahila P.S. Case No. 40 of 2014 registered for the offences
punishable under Sections 498A, 120B and 313 of the Indian
Penal Code.

The petitioner has been extended interim protection by
this Court so that parties could enter into some sort of mediation
but it appears that mediation has failed. There being no scope of
reconciliation between the parties, the only issue which remains to
be resolved is either of one time settlement between the parties or
some amount to be paid to the opposite party no. 2 each month, so
that, she can sustain herself till the marriage is finally dissolved
and/or one time settlement is arrived at between the parties.

Since the question of one time settlement is a matter of negotiation between the parties, it is hereby directed that the petitioner shall deposit Rs. 3,000/- (three thousand) per month in Uttar Bihar Gramin Bank bearing Account No. 1008581010000235 for her sustenance. The amount, in question, shall be deposited by the petitioner by the 10th of each month beginning from October 2015. In the event of deposit of aforesaid amount by the petitioner by 10th of October, 2015, let the petitioner above named, in the event of his arrest or surrender before the court below within a period of two weeks from the date of receipt/production of a copy of this order, is/are directed to be enlarged on bail on furnishing bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the S.D.J.M., Gopalganj in connection with Mahila P.S. Case No. 40 of 2014, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

However, it is made clear that if the petitioner fails to deposit the aforesaid amount for continuous period of two months, as agreed upon by him, it shall be open for the opposite party no. 2 to move this Court for modification of the present order.

(Anjana Mishra, J)

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