

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19485 of 2019**

Arising Out of PS. Case No.-369 Year-2017 Thana- SITAMARHI COMPLAINT CASE
District- Sitamarhi

=====

Sajjan Kumar @ Sajjan Sahani Son of Sri Kishore Sahani, Resident of
Village- Barri, P.S- Benipatti, District- Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Kiran Kumari, Wife of Sajjan Kumar @ Sajjan Sahani and daughter of Sri Shambhu Sahani, Resident of Village and P.O.- Rasalpur, P.S.- Bajpatti, District- Sitamarhi.

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Pushpendra Kumar Singh, Advocate
For the Opposite Party/s : Mr.Rajendra Prasad Nat, APP

=====

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

9 17-02-2020 Heard learned counsel for the parties.

The petitioner, husband of Opposite Party No. 2 apprehends his arrest in **Complaint Case No. C1/369 of 2017** registered for the offence under Section 498(A) of the Indian Penal Code.

Earlier, vide order dated 25.07.2019, the matter was sent to Mediation Centre of Patna High Court for settlement of dispute between the parties. In pursuance thereof, Mediator's report has been received which is kept at flag 'C'. From perusal of Mediator's report dated 25.09.2019, it appears that mediation has failed.

Learned counsel for the petitioner submits that at



this juncture, the petitioner is ready to give maintenance amount of Rs. 3,000/- (three thousand) per month to Opposite Party No. 2, starting from this month.

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) per month, the petitioner above-named, in the event of his arrest/surrender within a period of six weeks from today, 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 **Sub-Divisional, Judicial Magistrate, Pupri, Sitamarhi** in connection with **Complaint Case No. C1/369 of 2017** on the following conditions:

(1.) 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.

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

(3.) 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.



(4.) Petitioner shall cooperate 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.

(5.) 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.

(6.) 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)

vinita/-

U		T	
---	--	---	--

