

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 39003 of 2019**

Arising Out of PS. Case No.-2306 Year-2016 Thana- MUZZFARPUR COMPLAINT CASE
District- Muzaffarpur

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Krishna Thakur @ Krishna Kumar aged about 31 years, Male, Son of Prakash Thakur Resident of Mohalla - 56, Purwasa Park Kali Mandir, Ray Nagar, Near Masterda Surya Lane Metro Station, P.S.- Droni Bose, Kolkata, (West Bengal).

... .. Petitioner/s

Versus

1. The State of Bihar
2. Komal Anand aged about 25 years, Female, Wife of Krishna Thakur, D/O- Pawan Kumar Resident of Mohalla- Shastri Nagar, Khadi Bhandar, Vidyapati Path, P.O.- Ramna, P.S.- Mithanpura, District- Muzaffarpur

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Sunil Kumar
For the Opposite Party/s	:	Mr. Anand Kishore Choudhary
		Mr. Amrit Abhijat

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

6. 20-02-2020 Heard learned counsel for the parties.

The petitioner, husband of opposite party no. 2, apprehends his arrest in Complaint Case No. 2306 of 2016 registered for the offence under Sections 498(A)/420/120(B) of the Indian Penal Code and Section 4 of the Dowry Prohibition Act.

Earlier, vide order dated 16-11-2019, the matter was sent to Mediation Centre for settlement of dispute between the parties, but from perusal of Mediator's report dated 22-01-2020 (Flag 'M'), 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. 2,000/- (two thousand) per month, starting from this month, to informant/opposite party no. 2, which has been agreed by the counsel for opposite party no. 2.



In view of the undertaking of learned counsel for the petitioner that petitioner is ready to give maintenance amount of Rs. 2,000/- (two thousand) per month, the provisional bail granted to the petitioner, vide order dated 16-11-2019, is hereby confirmed 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.)

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