

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37099 of 2019

Arising Out of PS. Case No.-32 Year-2019 Thana- MAHILA P.S. District- Nalanda

Vivek Kumar Son of Shri Ramdeo Chaudhary Resident of Village - Daya
Nagar, P.S.- Noorsarai, District - Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Bharat Bhushan, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 19-02-2020 Heard learned counsel for the parties.

Petitioner apprehends his arrest in a case registered for the offence punishable under sections 498(A)/506/34 of the Indian Penal Code and sections 3/4 of D. P. Act.

Earlier, vide order dated 14.08.2019, the matter was sent to Mediation Centre for settlement of dispute between the parties, but from perusal of Mediator's report dated 25.10.2019, 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. 10,000/- per month, starting from this month, to the 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. 10,000/- per month, the provisional bail granted to the petitioner, vide order dated 18.06.2019, is hereby 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 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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