

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 38696 of 2019

Arising Out of PS. Case No.-13 Year-2019 Thana- CHANDI District- Nalanda

Niranjan Kumar aged about 22 years Son of Raj Ballabh Yadav Resident of Village - Manpurwa, P.S.- Hilsa, District - Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Manju Kumari Daughter of Suryadeo Yadav Resident of Village - Bhimsen Bigha, P.S.- Chandi, District - Nalanda.

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Tej Narayan Singh
For the Opposite Party/s :	Mr. Bal Mukund Prasad Sinha
	Mr. Ravi S. Pankaj

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

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

The petitioner, husband of opposite party no. 2, apprehends his arrest in Chandi P.S. Case No. 13 of 2019 registered for the offence under Section 498(A)/34 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

Earlier, vide order dated 11-09-2019, the matter was sent to Mediation Centre for settlement of dispute between the parties, but from perusal of Mediator's report dated 30-12-2019 (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. 3,500/- (three thousand & five hundred) per month, starting from this month, to informant/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. 3,500/- (three thousand & five hundred) per month, the provisional bail granted to the petitioner, vide order dated



01-07-2019, 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.)

anay

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

