

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40200 of 2019

Arising Out of PS. Case No.-38 Year-2018 Thana- BARAUNI District- Begusarai

Pravin Kumar @ Mr.Praveen Kumar @ Dr.Praveen Kumar Son of Late Haribansh Narayan Resident of Kiran Kuti, Rachna Peeth, 1M/39, Mahatma Gandhi Nagar, Kanti Factory Road, P.S.- Agamkuan, District- Patna, At Present residing at C/o Basiki Prasad Bhagat, Rahika Tola, Ward No.18, P.S.- Araria, District- Araria. (Bihar) Petitioner/s

Versus

1. The State of Bihar
2. Manisha Kumar Wife of Sri Praveen Kumar, @ Daughter of Shiv Narayan Mahto Resident of Village- Baro Rajdeopur, P.S.- Barauni, District- Begusarai (Bihar)

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N. K. Agrwal, Advocate Mr. Saket Tiwary, Advocate
For the Opposite Party/s	:	Ms. Shaheen Begum, APP
For the Informant	:	Mr. Vivekanand Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

7 19-02-2020 Heard learned counsel for the parties.

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

Earlier, vide order dated 01.07.2019, the matter was sent to Mediation Centre for settlement of dispute between the parties, but from perusal of Mediator's report dated 22.08.2019 (Flag 'A'), it appears that mediation has failed.

Learned counsel for the petitioner submits that the petitioner is already depositing the maintenance amount of Rs. 7,000/- to the opposite party no.2 and he further submits that the



petitioner will continue pay the maintenance amount.

In view of the submission of learned counsel for the petitioner that petitioner is already paying maintenance amount of Rs. 7,000/- per month, in the event of his arrest/surrender within a period of six weeks from today, let the above named petitioner 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 the learned Chief Judicial Magistrate, Begusarai in connection with Barauni (Garhara) P.S. Case No. 38 of 2018 on the following conditions:-

1. Petitioner would deposit the aforesaid maintenance amount per month in the saving bank account of opposite party no.2.
2. 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.
3. 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.
4. 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.



5. 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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