

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 40965 of 2019

Arising Out of PS. Case No.-3086 Year-2017 Thana- PATNA COMPLAINT CASE District-
Patna

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Shiv Shankar Kumar S/o- Sri Jagarnath Ram R/v- Arap, P.S.- Bikram,
District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Poojamani Kumari W/o- Shiv Shankar Kumar R/v- Arap, P.O.- Arap, P.S.-
Bikram, District- Patna, at present peoples Co- operative colony, P.S.-
Kankarbagh, District- Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Vijay Kumar Sinha
For the Opposite Party/s	:	Ms.Madhuri Lata
		Mr. Sanjay Kumar Ghosarvey

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

9. 02-03-2020 Heard learned counsel for the parties.

The petitioner, husband of opposite party no. 2, apprehends his arrest in Complaint Case No. 3086(C) of 2017 registered for the offence under Sections 498(A), 494 of the Indian Penal Code and Section 4 of the Dowry Prohibition Act.

Learned counsel for the petitioner submits that petitioner is ready to give maintenance amount of Rs. 3,500/- (three thousand & five hundred) per month, starting from this month, to complainant/opposite party no. 2, which has been agreed by the learned 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. 3,500/- (three thousand & five hundred) per month, the provisional bail granted to the petitioner, vide order dated 3rd July, 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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