

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 41394 of 2019

Arising Out of PS. Case No.-20 Year-2019 Thana- MAHILA P.S. District- Patna

Pranav Kumar Jha @ Pranav Kumar aged about 28 years, Gender Male, Son of Sri Om Prakash Jha Resident of Kabilpur, P.S.-Laheriasarai, District-Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Thakur
Mrs. Babita Kumari

For the Opposite Party/s : Mr. Ashok Kumar
Mr. Prafull Chandra Jha

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5. 25-02-2020 Heard learned counsel for the petitioner as well as learned counsel for the informant, who has voluntarily appeared on behalf of informant by filing *vakalatnama*.

The petitioner, husband of opposite party no. 2, apprehends his arrest in Mahila P.S. Case No. 20 of 2019 registered for the offence under Section 498(A) & other allied sections of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

Earlier, vide order dated 08-07-2019, the matter was sent to Mediation Centre for settlement of dispute between the parties, but from perusal of Mediator's report dated 30-09-2019 (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. 10,000/- (ten thousand) per month, starting from this month, to the informant, which has been agreed by the counsel for the informant.



In view of the undertaking of learned counsel for the petitioner that petitioner is ready to give maintenance amount of Rs. 10,000/- (ten thousand) per month, the provisional bail granted to the petitioner, vide order dated 08-07-2019, is, hereby, confirmed on the following conditions:

“(1) The informant 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 informant.

(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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