

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46457 of 2019

Arising Out of PS. Case No.-104 Year-2016 Thana- RAJAPAKAR District- Vaishali

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Brajnandan Kumar Son of Ram Naresh Rai Resident of Village - Baranti,
P.S.- Rajapakar, Baranti O.P., District- Vaishali

... .. Petitioner/s

Versus

1. The State of Bihar
2. Jintendra Kumar Son of Pulis Rai Resident of Village - Nawada Khurd, P.O.-
Shahdullahpur, P.S.- Ganga Bridge, District- Vaishali
3. Sarita Kumari Wife of Brajnandan Kumar, D/o- Pulis Rai Resident of
Village - Nawada Khurd, P.O.- Shahdullahpur, P.S.- Ganga Bridge, District-
Vaishali

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satya Prakash Sinha, Advocate

For the Opposite Party/s : Mr. Surendra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 20-02-2020 Heard learned counsel for the parties.

Petitioner apprehends his arrest in a case registered for the offence punishable under sections 498(A)/307/328/506/34 of the Indian Penal Code and sections 3 and 4 of D.P. Act.

Learned counsel for the petitioner submits that the petitioner is husband of O.P. No.3 and at this juncture, the petitioner is ready to give maintenance amount of Rs. 4,000/- per month, starting from this month, to the Opposite Party No.3.

In view of the undertaking of learned counsel for the petitioner that petitioner is ready to give maintenance amount of Rs. 4,000/- 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 CJM, Vaishali at Hajipur in connection with Rajapakar (Baranti O.P.) P.S. Case No. 104 of 2016 on the following conditions:-

1. Opposite party no.3 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.3.
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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