

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61247 of 2019

Arising Out of PS. Case No.-457 Year-2018 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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Mukesh Bhagat Son of Bijali Bhagat Resident of Village - Baritha, P.S.-
Chakia, Distt - East Champaran.

... .. Petitioner

Versus

1. The State of Bihar
2. Amrita Kumari D/o Ramdarash Bhagat Resident of Village - Dewajit
Parsauni, P.S.- Mehsi, Distt - East Champaran.

... .. Opposite Party

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Appearance :

For the Petitioner	:	Mr.Umesh Chandra Verma, Advocate
For the Opposite Party	:	Mr.Veena Kumari Jaiswal, Addl Public Prosecutor
for the opp party no.2	:	Mr. Madhurendra Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

7 11-11-2020 Heard learned counsel for the petitioner, State and the
opposite party no.2 through Video Conferencing.

The petitioner who is husband of opposite party no. 2
apprehends arrest in a case registered for the offence punishable
under Section 498A of the Indian Penal Code as well as sections
¾ of the Dowry Prohibition Act.

Learned counsel for the petitioner submits that the
petitioner is ready to give maintenance amount of Rs. 3000/-per
month, starting from this month, to opposite party no. 2.

Learned counsel for the opposite party no.2 accepts
the aforesaid position.

In view of the undertaking of learned counsel for the
petitioner that petitioner is ready to give maintenance amount of
Rs. 3000/- per month, in the event of arrest/surrender within a
period of eight weeks from today, 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 Sub Divisional Judicial Magistrate, Sadar Motihari, East Champaran in Complaint case no. 457 of 2018, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure 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) 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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