

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59565 of 2019

Arising Out of PS. Case No.-554 Year-2018 Thana- KUDHNI District- Muzaffarpur

=====

Kumar Abhishek Son of Pramhansh Chaudhary Resident of Village -
Dariyapur Kafen, P.S.- Kurhani, District – Muzaffarpur ... Petitioner
Versus

1. The State Of Bihar
2. Pallavi Kumari Wife of Kumar Abhishek D/o Shashibhushan Singh, At
present resident of Village - Kishunpur Mohani, P.S.- Kurhani, District -
Muzaffarpur

... .. Opposite Parties

=====

Appearance :

For the Petitioner : Mr. Sanjay Kumar @ S.K., Advocate
For the State : Mr. Sunil Kumar Pandey, Addl Public Prosecutor

=====

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

- 3 05-02-2020 Heard learned counsel for the petitioner as well as
learned counsel for the State.

Petitioner, who happens to be the husband of opposite party no.2, apprehends his arrest in a case registered for the offence under section 498A/34 and other allied sections of the Indian Penal Code and ³/₄ of the Dowry Prohibition Act.

Mediator's report dated 22.11.2019 indicates that the parties appeared before it for settlement of the dispute, but the same did not materialize because opposite party no.2 is ready to live with her husband (petitioner) but the petitioner and his father are not ready to keep her at any cost.

Learned counsel for the petitioner submits that, at this juncture, the petitioner is ready to give maintenance amount of Rs.5,000/- (five thousand) per month, starting from this month, to opposite party no.2.

In view of the undertaking of learned counsel appearing for the petitioner that the petitioner is ready to give maintenance amount of Rs.5,000/- (five thousand) per month, in the event of arrest/surrender within six weeks from today, let the



petitioner, mentioned above, be released 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 Additional Chief Judicial Magistrate III, West, Muzaffarpur in Kurhani Police Station Case No. 554 of 2018, on the following conditions:-

(1) Opposite party no.2 would file an affidavit to the court below bringing on record her savings bank account number for its communication to the petitioner.

(2) Petitioner would deposit the aforesaid maintenance amount per month in the savings 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 bonds.

(4) Petitioner shall co-operate 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)

Shashi

U		T	
---	--	---	--

