

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75010 of 2019

Arising Out of PS. Case No.-680 Year-2018 Thana- VAISALI COMPLAINT CASE District-
Vaishali

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Sonu Kumar @ Sonu Raj Son of Ragho Singh Resident of Village -
Chakdariya, P.S.- Lalganj, Distt.- Vaishali.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Swati Kumari W/o Sonu Kumar @ Sonu Raj @ Sonu Kr. Singh Resident of
Village - Chakdariya, P.S.- Lalganj, Distt.- Vaishali, at Presnt resident D/o
Deo Narayan Singh, Village - Ratanpura, P.S.- Bhagwanpur, Distt.- Vishali.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rabindra Kumar Priyadarshi
For the Opposite Party/s : Mr.Akshay Lal Pandit

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 06-03-2020 Heard learned counsel for the parties.

The petitioner, husband of Opposite Party No. 2
apprehends his arrest in **Complaint Case No. 680 of 2018**,
registered for the offence punishable under Sections 498A, 323
406 of the Indian Penal Code and section 3/4 of the Dowry
Prohibition Act.

Earlier, vide order dated 04.12.2019, the matter was
sent to Mediation Centre of Patna High Court for settlement of
dispute between the parties, which has been received and kept at
flag 'M'. From persual of Mediator's report dated 13.01.2020, 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. 3000/- (three thousand) per month**, starting from this month to 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. 3000/- (three thousand) per month**, in the event of arrest/surrender within a period of six weeks from today, let the petitioner above-named 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 learned **Chief Judicial Magistrate, Vaishali at Hajipur** in connection with **Complaint Case No. 680 of 2018** 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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