

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87035 of 2019

Arising Out of PS. Case No.-492 Year-2019 Thana- BAGHA District- West Champaran

DEEPAK KUMAR Son of Ram Ekbal Prasad Resident of Village - Bagaha Patkhauli, P.S.- Bagaha Patkhauli, District- West Champaran

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Reeta Kumari Wife of Deepak Kumar, D/O - Budhan Ram Resident of Village - Araria, P.S.- Kanhauli, District- Sitamarhi

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Bimlesh Kumar Pandey
For the O.P.	:	Mr. Virendra Kumar
For the Opposite Party/s	:	Mr.Jharkhandi Upadhyay (App)

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

5 03-11-2021 Supplementary affidavit filed on behalf of the petitioner is taken on record.

Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

The petitioner apprehends his arrest in connection with Bagaha Patkhauli P.S. Case No. 492/2019 registered for the offences punishable under Sections 498A/341/323/504/506/34 of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner is ready to keep the opposite party no.2 with full honour and dignity.

In such view of the matter, the petitioner is directed



to visit his *Sasural* and take opposite party no.2 with him before 10.11.2021 and, thereafter, both the parties will file an application in the Court below that they have amicably settled their disputes and they are staying together. The petitioner will also provide a separate mobile phone and number to opposite party no.2 from which she can talk to her parents as and when she desires.

To show his *bonafide*, the petitioner himself has offered to pay a sum of rupees three thousand per month to the opposite party No. 2 during the pendency of the present case. The same shall be subject to any order of the maintenance passed by any competent Court.

The maintenance amount will be paid directly to the opposite party No. 2 in her account which will be deposited by the 10th December, 2021 and, thereafter, by the 10 day of every month. The details of the bank account of the opposite party No. 2 will be given to the petitioner by her lawyer to the lawyer of the petitioner.

In case, the opposite party No. 2 fails to provide her bank account details, the petitioner will pay the aforesaid maintenance amount through money order and file receipts of the same before the Court below.



If the petitioner fails to obey the abovementioned conditions, the interim protection granted to him vide order dated 14.02.2020, shall stand cancelled.

Till filling of the application by both the parties in the Court below, the interim protection granted to the petitioner vide order dated 14.02.2020 shall continue to operate.

Learned Advocate for the opposite party No. 2 states that the maintenance case was filed in Sitamarhi which has been dismissed for default and they are taking steps for restoration of the same.

In case, the opposite party No. 2 gets the maintenance case restored, the same shall be decided finally by the Principal Judge, Family Court, Sitamarhi within three months from the date of its restoration.

With the aforesaid order and directions, this application is allowed.

(Sandeep Kumar, J)

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