

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18804 of 2020**

Arising Out of PS. Case No.-1195 Year-2019 Thana- KANKARBAG District- Patna

VISHAL KUMAR S/o Sri Krishna Pandit Resident of Chandmari Road,
Street No. 3, P.S.- Kankarbagh, Distt.- Patna

... .. Petitioner

Versus

1. The State of Bihar
 2. Kalawati Prajapati W/o Chandrabhushan Prajapati Flat No. 101 Block- C,
Sai Kailash Apartment- Sita Ram Path Patel Nagar, Patna
- Opposite Party

Appearance :

For the Petitioner/s : Mr.Kalyan Shankar, Advocate
For the Opposite Party/s : Sangeeta Sharma

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

15 20-06-2022 Heard learned counsel for the petitioner, the State and
the opposite party no.2.

The petitioner who is husband of daughter of opposite party no. 2, apprehends arrest in a case registered for the offence punishable under Sections 498A/34 of the Indian Penal Code and sections 3/4 of the DP Act.

Learned counsel for the petitioner submits that the petitioner is ready to give maintenance amount of Rs. 10,000/- (ten thousand) per month, starting from this month, to Manisha Kumar, daughter of 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. 10,000/- per month, in the event of arrest/surrender within a period of six 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 Chief Judicial Magistrate, Patna in Kankarbagh Police Station Case No. 1195 of 2019, subject to



the conditions laid down under section 438(2) of the Code of Criminal Procedure as well as on the following conditions:-

(1) Daughter of 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 Manisha Kumari, daughter of 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 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/her absence on two consecutive dates without sufficient reason, his/her 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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