

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42599 of 2021

Arising Out of Case No.-871 Year-2019 Thana- PATNA COMPLAINT CASE District- Patna

SHASHI NATH @ SHASHINATH Son of Shambhu Nath Prasad @ Shambhunath Prasad Resident of Village - Simal Main Road, Zoom Studio, P.S. - Malsalami, P.O. - Madho Mill, District - Patna.

... .. Petitioner/s

Versus

1. The State of Bihar
2. JULI KUMARI Wife of Shashi Nath @ Shashinath Resident of Village - Simal Main Road, Zoom Studio, P.S. - Malsalami, P.O. - Madho Mill, District - Patna and at present resident of Daughter of Late Ramesh Prasad, Gola Road, Near Kali Babu Dharmshala, Ward No. -13, P.S. - Barh, District - Patna.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Niraj Kumar
For the Opposite Party/s : Mr.Md. Ataur Rahman

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 29-08-2022 Heard learned counsel for the parties.

The petitioner, husband of informant, apprehends his arrest in Complaint Case No. 871 of 2019 registered for the offence under Section 498(A) and some other ancillary Sections of the Indian Penal Code.

Learned counsel for the petitioner submits and offers that at this juncture, the petitioner is ready to give maintenance amount of Rs. 3,000/- (three thousand) per month to the informant, starting from this month.

In view of the undertaking of learned counsel for the petitioner that petitioner is ready to give maintenance amount of



Rs. 3,000/- (three thousand) per month, the petitioner above-named, in the event of his arrest/surrender within a period of six weeks from today, 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 Additional Chief Judicial Magistrate-II, Barh, Patna in connection with Complaint Case No. 871 of 2019 on the following conditions:

(1.) Informant 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 Informant.

(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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