

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41987 of 2022**

**In
CRIMINAL MISCELLANEOUS No.8711 of 2022**

Arising Out of PS. Case No.-222 Year-2018 Thana- MIRGANJ District- Gopalganj

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HEMANT TIWARI @ HEMANT KUMAR TIWARI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Lokesh Kumar Singh
For the State : Mr. Jharkhandi Upadhyay, APP

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**CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER**

4 10-11-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Pursuant to the order dated 19.10.2022, both the
parties are present.

It seems that there is no chance of any settlement
between the parties.

The learned counsel for the wife has produced a copy
of order dated 21.05.2022 passed by the Principle Judge, Family
Court, Gopalganj, in Maintenance Case No. 260 of 2018 by
which a maintenance amount of Rs. 4,000/- (Four Thousand)
has been fixed from the date of filing of the application.

Considered the submission of parties and also
considering the law laid down by the Supreme Court in the case



of *Arnesh Kumar Vs. State of Bihar reported in (2014) 8 SCC 273*, this application is allowed.

Accordingly, the provisional bail granted to the petitioner vide order dated 26.04.2022 passed in Cr. Misc. No. 8711 of 2022 is hereby confirmed.

It is made clear that the bail bond shall be accepted by the Courts below only after the petitioner starts making payment of the maintenance amount to the opposite party No.2 regularly.

In view of the above, this application is disposed of.

(Sandeep Kumar, J)

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