

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.41782 of 2022**

Arising Out of PS. Case No.-46 Year-2021 Thana- MAHILA P.S. District- Lakhisarai

DAYA SHANKAR KUMAR Son of Anuj Prasad Singh Resident of Village -  
Nardidih, P.s.- Nardiganj, Distt.- Nawadah.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                            |                                              |
|----------------------------|----------------------------------------------|
| For the Petitioner/s :     | Mr.Ram Vinay Pd. Singh, Advocate             |
| For the Opposite Party/s : | Mr.Jai Narain Thakur, Addl Public Prosecutor |
|                            | Mr. M. Madhup, Advocate                      |

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

2      28-09-2022                      Heard learned counsel for the petitioner, the State  
and the informant Puja Kumari.

The petitioner who is husband of informant apprehends arrest in a case registered for the offence punishable under Sections 498A and other allied sections of the Indian Penal Code and under sections 3/4 of the Dowry Prohibition Act.

Learned counsel for the petitioner submits that the petitioner offers and undertakes that he is ready to give maintenance amount of Rs. 5000/-per month, starting from this month, to informant .

In view of the undertaking of learned counsel for the petitioner that petitioner is ready to give maintenance amount of Rs. 5000/- 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, Lakhisarai in Lakhisarai (Mahila )Police Station Case No. 46 of 2021, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure as well as 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 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)**

Shashi

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