

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.57247 of 2021**

Arising Out of PS. Case No.-2 Year-2020 Thana- MAHILA P.S. District- Bhagalpur

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SUJIT KUMAR Son of Late Chhedi Prasad Mandal Resident of Village -  
Nayatola Meerachak, P.S. - Zero-Mile, District - Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ekta Kumari Wife of Sujit Kumar, Daughter of Ramcharitra Mandal  
Resident of Village- Mohanpur, P.S. - Nathnagar, District - Bhagalpur.

... .. Opposite Party/s

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**Appearance :**

|                            |                           |
|----------------------------|---------------------------|
| For the Petitioner/s :     | Mr.Ranjan Kumar Jha       |
| For the Opposite Party/s : | Mr.Tarkeshwar Nath Thakur |

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

3      28-06-2022                      Heard learned counsel for the petitioner, the State and  
the opposite party no.2.

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

Learned counsel for the petitioner offers and  
undertakes that the petitioner is ready to give maintenance  
amount of Rs. 5000/-per month, starting from this month, to  
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. 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 Sub Divisional Judicial Magistrate, Bhagalpur



in Bhagalpur Mahila Police Station Case No. 02/2020, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure as well as on the following conditions:-

(1) 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 the 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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