

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4899 of 2023

Arising Out of PS. Case No.-439 Year-2022 Thana- SIWAN MUFFASIL District- Siwan

CHANDAN YADAV SON OF SRI RAM IQUBAL YADAV @ RAM IQBAL CHOUDHARY R/O VILLAGE- DHANAUTI MATH, P.S.- DHANAUTI, DISTRICT- SIWAN, AT PRESENT R/O MOHALLA- HOUSE NO.230 A, GALI NO.12, P.S.- SAMAIPUR BADLI, DISTRICT- NORTH WEST DELHI, STATE- DELHI

... .. Petitioner/s

Versus

1. The State of Bihar
2. PINKI DEVI WIFE OF SRI CHANDAN YADAV, D/O SRI UPENDRA KUMAR YADAV R/O VILLAGE- TIWARY TOLA, P.S.- NAUTAN, DISTRICT- SIWAN

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar Singh, Advocate
For the Opposite Party/s : Mr. Damodar Prasad Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 22-06-2023 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 498 (A), 313 and 34 of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner offers and undertakes that he is ready to give maintenance amount of Rs. 4000/-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. 4000/- 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 learned Chief Judicial Magistrate, Siwan in connection with Siwan Mufassil (Dhanauti O.P) P.S. case No 439 of 2022, 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) 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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