

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7921 of 2023

Arising Out of PS. Case No.-1241 Year-2021 Thana- SAMASTIPUR COMPLAINT CASE
District- Samastipur

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NARESH PASWAN @ NARESH KUMAR S/O RAM ASHRAY PASWAN
Resident of Village- Madhopur Ward No.-10, P.S.- Samastipur Muffasil,
District- Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. PREETI KUMARI W/O NARESH PASWAN Resident of Village-
Madhopur Ward No.-10, P.S.- Samastipur Muffasil, District- Samastipur. At
present D/o Dilip Paswan Resident of Village- Bishanpur Kalyanpur, Ward
No.-06, P.S.- Bibhutipur District- Samastipur.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar No1
For the Opposite Party/s : Mr. Parmanand Kumar

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

6 04-07-2023 Heard learned counsel for the petitioner and learned

A.P.P. for the State along with the learned counsel for the

informant.

The petitioner apprehends his arrest in a case registered
for the offences punishable under Sections 498(A) and 34 of the
Indian Penal Code.

Learned counsel for the petitioner submits that petitioner
being husband has been falsely implicated in the present case, it
is next submitted that the matter was referred for mediation by
the learned District Court but the mediation failed, it is next
submitted that the petitioner is willing to pay a monthly



maintenance of Rs. 5,000/- to the informant.

Learned counsel for the informant does not dispute the submission of the learned counsel for the petitioner and submits that though the petitioner undertakes to pay a monthly maintenance of Rs. 5,000/- per month, but in the event if the maintenance amount is not paid, what will happen.

Learned counsel for the petitioner submits that since an undertaking has been given before this Court, the maintenance will be paid and shall commence from 18th of July, 2023.

Learned counsel for the informant submits that she will Whatsapp the bank account number of the informant on the Whatsapp number of the learned counsel for the petitioner and the learned counsel for the petitioner undertakes to forward the same to the petitioner so that the maintenance amount as agreed commences from 18th of July 2023.

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court



in connection with Samastipur Complaint Case P.S. Case No. 1241 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

However, it is made clear that in the event if the petitioner, for two consecutive months, does not pay the amount as agreed, the informant shall be at liberty to file an application seeking cancellation of bail granted to the petitioner before this Court.

However, it is further made clear that the maintenance amount shall be paid till conclusion of the trial of the case or a Court of competent jurisdiction fixes maintenance.

(Satyavrat Verma, J)

HarshPandey/-

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