

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.9453 of 2023**

Arising Out of PS. Case No.-164 Year-2022 Thana- FESHAR District- Aurangabad

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Basant Paswan @ Basant Kumar Son Of Rajdev Paswan R/O Vill.- Baghoi  
Khurd, P.S.- Fesar, Distt.- Aurangabad (BIHAR)

... .. Petitioner

Versus

1. The State Of Bihar
2. Pinki Devi D/O Surendra Paswan R/O Vill.- Bairanw, P.S.- Simra, P.O.-  
Pandariyan, Distt.- Aurangabad(Bihar)

... .. Opposite Parties

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**Appearance :**

|                            |                                            |
|----------------------------|--------------------------------------------|
| For the Petitioner/s :     | Mr.Shailesh Kumar Singh, Advocate          |
| For the Opposite Party/s : | Mr.Md. Matloob Rab, Addl Public Prosecutor |
| for opposite party no.2    | Ms/Mrs. Leelawati Kumari, Advocate         |

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

5      19-09-2023                      Heard learned counsel for the petitioner, the State and  
the opposite party no.2.

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 of the Indian Penal Code  
and Sections 3 & 4 of the Dowry Prohibition Act.

3. Learned counsel for the petitioner submits that the  
petitioner offers and undertakes that he is ready to give  
maintenance amount of Rs. 3000/-per month, starting from this  
month to the opposite party no.2.

4. In view of the undertaking of learned counsel for  
the petitioner that petitioner is ready to give maintenance  
amount of Rs. 3000/- 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, Aurangabad in



Fesar Police Station Case No. 164 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:-

(i) 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.

(ii) Petitioner would deposit the aforesaid maintenance amount per month in the saving bank account of the opposite party no.2.

(iii) 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.

(iv) 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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