

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10503 of 2023

Arising Out of PS. Case No.-128 Year-2021 Thana- MAHILA P.S. District- Patna

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AKASH AGARWAL S/o Kashi Prasad Agarwarl R/o - MIG-1/29, Sada Colony, Jamnipali, P.S.- Darri, Distt- Korba, Chhattisgarh.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Swarnalata Dutta @ Anu D/o Anil Dutta Deo R/o Drivers Lane, Danapur, P.S.- Danapur, Distt- Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Jha, Advocate
For the Opposite Party/s : Mr. Asha Devi, Addl. Public Prosecutor

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 16-05-2023 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 341, 323, 498(A), 506/34 of the Indian Penal Code and ³/₄ 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 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 learned Addl. Chief Judicial Magistrate , Patna in connection with Mahila P.S. case No 128 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) 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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