

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11147 of 2023

Arising Out of PS. Case No.-201 Year-2021 Thana- BHAGALPUR COMPLAINT CASE
District- Bhagalpur

Shankar Mandal Son of Late Jageshwar Mandal R/O Vill.- Nawada, P.S.-
Ekchari, Distt.- Bhagalpur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rubi Devi @ Rubi Kumari D/O Dinesh Choudhary R/O Vill.- Ratanganj,
P.S.- Gopalpur, Distt.- Bhagalpur

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Jha, Advocate
For the Opposite Party/s : Mr. Shantanu Kumar, A.P.P.
Mr. Chandrasekhar Sharma, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 18-07-2023 Heard learned counsel for the parties.

2. The petitioner who is husband of opposite party
No. 2 apprehends arrest in a case registered for the offences
punishable under Sections 323, 341, 342, 498A, 307, 379, 324,
325, 380 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 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 Sub-Divisional Judicial Magistrate, Naugachia, Bhagalpur in connection with Complaint Case No. 201 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 savings bank account number for its communication to the petitioner.

(2) Petitioner would deposit the aforesaid maintenance amount per month in the savings 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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