

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.12884 of 2023**

Arising Out of PS. Case No.-239 Year-2022 Thana- EAST CHAMPARAN COMPLAINT  
District- East Champaran

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RAMA SHANKAR PRASAD @ RAMA SHANKAR SON OF RAJENDRA PRASAD KUSHWAHA @ RAJENDRA PRASAD R/O JHITKAHIYAN WARD-1, P.S.- BRAHUMPURA, DISTT.- MUZAFFARPUR

... .. Petitioner/s

Versus

1. The State of Bihar
2. KHUSHBU DEVI WIFE OF RAMA SHANKAR PRASAD, D/O DHRUP MAHTO R/O VILL.- KOLURAWA, WARD, NO. 2, P.S.- MOTIHARI TOWN, DISTT.- EAST CHAMPARAN

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Prateek Tandon, Advocate  
For the Opposite Party/s : Mr. Md. Matloob Rab , Addl. Public Prosecutor

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

3      24-08-2023                      1 . 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 498 (A) of the Indian Penal Code.

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 the Chief Judicial Magistrate , East Champaran , Motihari in connection with Complaint Case No. C-239/2022, Enquiry No. 825/2022, 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)**

Kaushik/-

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