

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17785 of 2023

Arising Out of PS. Case No.-721 Year-2020 Thana- DARBHANGA COMPLAINT CASE
District- Darbhanga

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Nitish Kumar @ Nitish Kumar Safi @ Nitish Kumar Baitha Son of Sudhir
Safi @ Sudhir Kumar Baitha Resident of Village - Jogyara, P.S.- Jalley,
District - Darbhanga.

... .. Petitioner

Versus

1. The State of Bihar
2. Usha Kumari Daughter of Sri Sharan Das W/o Nitish Kumar @ Nitish
Kumar Safi, Resident of Village - Jogyara, P.S.- Jalley, District - Darbhanga

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Mr.Kumar Rajeev, Advocate
For the Opposite Party/s :	Mr.Md. Mushtaque Alam, Addl Public Prosecutor
	Mr Ratan K. Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 02-08-2023 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,363A/34 and other allied
sections 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 Judicial Magistrate 1st class, Darbhanga in Complaint Case No. 721 of 2020, 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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