

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20947 of 2023

Arising Out of PS. Case No.-302 Year-2022 Thana- ROHTAS COMPLAINT CASE District-
Rohtas

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ASHOK KUMAR @ ASHOK KUMAR SAH SON OF UMA SHANKAR
SAH MOHALLA -BADHIYA BAG, BHAWANIPUR TAKIYA, PS-
SASARAM NAGAR, DISTT- ROHTAS

... .. Petitioner/s

Versus

1. The State of Bihar
2. RAMBABU SAH SON OF LATE RAM ASHISH SAH RESIDENT OF
VILLAGE- TENDUNU, WARD NO. 2, PS- BIKRAMGANJ, DISTT-
ROHTAS
3. JYOTI KUMARI WIFE OF ASHOK KUMAR @ ASHOK KUMAR SAH
RESIDENT OF VILLAGE- TENDUNI, WARD NO. 2 PS- BIKRAMGANJ,
DISTT- ROHTAS AT SASARAM

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Babu Nandan Prasad , Advocate
For the Opposite Party/s : Mr. Sharda Kumari , Addl. Public Prosecutor

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 19-05-2023 Heard learned counsel for the petitioner, the State
and the opposite parties.

The petitioner who is husband of opposite party no. 3
apprehends arrest in a case registered for the offence punishable
under Sections 498(A), 323 of the Indian Penal Code and
section 3/4 of D.P. Act.

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. 3.



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 learned S.D.J.M., Bikramganj, Rohtas in connection with Complaint Case No 302 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:-

(1) Opposite party no. 3 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. 3.

(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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