

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36455 of 2023

Arising Out of PS. Case No.-40 Year-2022 Thana- MADANPUR District- Aurangabad

1. Sri Kant Singh @ Raushan S/O Ram Pravesh Singh Residing At 160/32, College Gate Behind Mansu Guest House, Bagdona, P.O. Shobhapur, Ps. Sarni, Dist.Betul(Madhya Pradesh) 460449
2. Shashi Kant Singh @ Chhotu S/O Ram Pravesh Singh Residing At 160/32, College Gate Behind Mansu Guest House, Bagdona, P.O. Shobhapur, Ps. Sarni, Dist.Betul(Madhya Pradesh) 460449
3. Prabha Devi @ Prabhawati Devi W/O Ram Pravesh Singh Residing At 160/32, College Gate Behind Mansu Guest House, Bagdona, P.O. Shobhapur, Ps. Sarni, Dist.Betul(Madhya Pradesh) 460449
4. Ram Pravesh Singh S/O Late Bhola Singh Residing At 160/32, College Gate Behind Mansu Guest House, Bagdona, P.O. Shobhapur, Ps. Sarni, Dist.Betul(Madhya Pradesh) 460449

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Neha Kumari @ Dolly W/O Sri Kant Singh, D/O Bijay Kumar Ravi R/O Village. Manika, Ps. Madanpur, Dist. Aurangabad (Bihar)

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Uma Kant Mishra, Advocate
For the Opposite Party/s :	Nirmal Kumar Sinha, Addl Public Prosecutor
for opposite party no.2	Mr. Madhav Raj, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 13-12-2023 Heard learned counsel for the petitioners, the State and the opposite party no.2.

2. The petitioners apprehend arrest in a case registered for the offence punishable under Sections 498A of the Indian Penal Code and Sections 3 & 4 of the Dowry Prohibition Act.

3. From mediator's report dated 3.11.2023 it appears that efforts of mediation between the parties has failed. Petitioner no.1 is husband and other petitioners are in-laws of opposite party no.2. Learned counsel for the petitioners submits that petitioner no. 1 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 petitioners that petitioner no. 1 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, Aurangabad in Madanpur Police Station Case No. 40/2022, 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 no.1 would deposit the aforesaid maintenance amount per month in the saving bank account of the opposite party no.2.

(iii) In case, the petitioner no.1 fails to deposit the maintenance amount for two consecutive months, the court below would be at liberty to cancel the bail-bond of petitioner no.1.

(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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