

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36574 of 2023

Arising Out of PS. Case No.-737 Year-2022 Thana- MAJHAULIA District- West Champaran

SHITANSHU KUMAR @ SHITANSHU KUMAR TIWARI Son of Subhash
Tiwari Resident of village - Belwa, P.S. - Ramnagar, Distt. - West Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Jyotasana Tiwari Wife of Shitanshu Kumar Tiwari and D/o Pramod Tiwari
Resident of village - Patbandhi, P.O. - Ratanmala, P.S. - Majhauliya, Distt. -
West Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brij Kishor Mishra, Advocate

For the Opposite Party/s : Mr. Pradeep Narain Kumar , APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 21-09-2023 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 498 (A) , 323 , 313 and 34 of the
Indian Penal Code and Section 3/4 of 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. 3500/-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. 3500/- 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 learned Chief Judicial Magistrate, Bettiah, District- West Champaran in connection with Majhauriya P . S . Case No. 737 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. 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)

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