

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38128 of 2023

Arising Out of PS. Case No.-6 Year-2021 Thana- PATNA COMPLAINT CASE District-
Patna

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RAKESH ROSHAN @ RAKESH RAUSHAN S/O KRISHNADEO KUMAR @ KRISHANDEV KUMAR R/O Village- Madhurapur, Ward No. 6, Singhpur, Eastern, P.S- Narayanpur, Distt.- Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Archana Roy W/O Rakesh Roshan @ Rakesh Raushan, D/O Hari Prasad Roy @ Harihar Roy At present residing at C/O Vikash yadav, House of Dr. Sachidanand Prasad, Near park Mount School, Mitra Mandal Colony, Saket Vihar More, Anisabad, P.S- Gardanibagh, Distt.- Patna, Bihar, PIN- 800002.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravi Shanker Pankaj, Advocate

For the Opposite Party/s: Mr. Nagendra Prasad, Addl. Public Prosecutor

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH

ORAL ORDER

2 11-07-2023 Heard learned counsel for the petitioner, the State and
the opposite party no.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), 34 of the Indian Penal Code and Section 4 of the 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. 5000/-per month, starting from this month, to opposite party no. 2.



In view of the undertaking of learned counsel for the petitioner that petitioner is ready to give maintenance amount of Rs. 5000/- 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 Sub Divisional Judicial Magistrate, Patna Sadar, District- Patna, in connection with Complaint Case No. 06C of 2021 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 pro-



ceedings. The present order, in no way, will preclude the parties
to resolve the issue otherwise.

(Prabhat Kumar Singh, J)

Alok Verma/-

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