

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.36981 of 2023**

Arising Out of PS. Case No.-377 Year-2022 Thana- KALYANPUR District- Samastipur

Krishna Kumar Son Of Ram Prakash Yadav Resident Of Village-Sagarpur,  
Ward No. 5, Ps- Sakari, Distt- Madhubani

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Phool Mala Daughter Of Tribhwan Rai wife of Krishna Kumar Resident Of  
Village- Keshopatti, Ps- Kalyanpur, Distt- Samastipur

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Ajay Kumar

For the Opposite Party/s : Mr.Madan Kumar

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH**  
**ORAL ORDER**

3      13-12-2023                      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, 354B, 379/34 and other allied  
sections of the Indian Penal Code and Sections 3 & 4 of the  
Dowry Prohibition Act.

3. Mediator's report dated 16.8.2023 reveals that in  
spite of efforts, dispute between the parties could not be  
resolved through process of mediation.

4. 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.

5. 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 1<sup>st</sup> class, Samastipur in Kalyanpur Police Station Case No. 377 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:-

(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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