

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42608 of 2022

Arising Out of PS. Case No.-207 Year-2020 Thana- PATNA COMPLAINT CASE District-
Patna

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Niraj Kumar Son of Kamal Ram @ Suraj Ram Resident of vilage- Karnauti,
PS- Bakhtiyarpur, District- Patna. At Present Address- Resident of village-
Dalchak, PS- Sultanpur, District- Kapurthala(Punjab)

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rajni Devi Wife of Niraj Kumar Resident of village- Karnauti, PS-
Bakhtiyarpur, Distt.- Patna At present Address- D/O- Umesh Ram,
R/Village- Akdunga, PS- Belchhi, Distt.- Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajesh Kumar Sinha

For the Opposite Party/s : Mr.Jitendra Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 13-03-2023 Heard learned counsel for the parties.

The petitioner, husband of Opposite Party No. 2
apprehends his arrest in a case registered for the offence under
Section 498(A) of the Indian Penal Code.

Learned counsel for the petitioner submits that at
this juncture, the petitioner is ready to give maintenance amount
of Rs. 4,000/- (four thousand) 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. 4,000/- (four thousand) per month, in the event of
arrest/surrender within a period of six weeks from today, let the



petitioner above-named 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 Judicial Magistrate Ist Class, Barh, Patna in connection with Complaint Case No. 207(C) of 2020 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.) Petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present, as directed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.
- (5.) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.
- (6.) 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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