

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43300 of 2023**

Arising Out of PS. Case No.-228 Year-2022 Thana- ROHTAS COMPLAINT CASE District-
Rohtas

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KANCHAN TIWARY son of Ashok Tiwary @ Ashok Tiwari Village- Guri
Ps- Bishrampur Dist- Palamu Jharkhand

... .. Petitioner/s

Versus

1. The State of Bihar
2. Jyoti Devi wife of Kanchan Tiwary, D/o- Jitendra Tiwary Village- Shiv Sagar, Ps- Shiv Sagar, Dist- Rohtas

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Rajendra Kumar Deo
For the State	:	Mr. Ashok Kumar Singh
For the O.P. No. 2	:	Mr. Chakravarti Singh

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 25-09-2023

1. Heard learned counsel for the parties.

2. The petitioner who is husband of opposite party

No. 2 apprehends arrest in a case registered for the offences punishable under Sections 498A, 494 of the Indian Penal Code.

3. 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 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. 3000/- (three thousand) per month to the opposite party No. 2, in the event of arrest/surrender within a period of six weeks from today, let the 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 S.D.J.M. Sasaram, Rohtas/concerned court below in connection with Complaint Case No. 228 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 savings bank account number for its communication to the petitioner.

(2) Petitioner would deposit the aforesaid maintenance amount per month in the savings 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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