

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43594 of 2022

Arising Out of PS. Case No.-646 Year-2019 Thana- ROHTAS COMPLAINT CASE District-
Rohtas

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Nitesh Gupta Son Of Brijlal Gupta @ Brijlal Madheshiya @ Brijlal Gupta
Madheshiya Resident Of- Khora, Bara Dixit, P.S.- Barhaj, District- Deoria
(U.P.)

... .. Petitioner/s

Versus

1. The State of Bihar
2. Pooja Kumari Gupta Wife Of Nitesh Gupta, D/O- Jagarnath Prasad Gupta
Resident Of- Mubrakganj, Sasaram, Ward No.-25, P.S.- Sasaram Town,
District- Rohtas

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Md. Fahimuddin

For the Opposite Party/s : Mr.Bishweshwar Ram

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 08-09-2023

Heard learned counsel for the parties.

2. The petitioner, husband of Opposite Party No. 2
apprehends his arrest in Complaint Case No. 646 of 2019
registered for the offence under Section 498(A) of the Indian
Penal Code.

3. Learned counsel for the petitioner submits that at
this juncture, the petitioner is ready to give maintenance amount
of Rs. 3,000/- (three thousand) 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. 3,000/- (three 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, Sasaram, Rohtas in connection with Complaint Case No. 646 of 2019, 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.

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

(Prabhat Kumar Singh, J)

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