

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45728 of 2022

Arising Out of PS. Case No.-21 Year-2022 Thana- MOTIHARI TOWN District- East
Champaran

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Ram Krishna Kumar, Son Of Ravi Nandan Rai @ Rabi Nandan Kumar Ray
R/O Village- Parbatiya Tola, Krishnapuri Colony, P.S.- Muffasil, Bettiah,
District- West Champaran

... .. Petitioner/s

Versus

1) The State of Bihar
2) Divya Kumari, D/o Ram Krishna Kumar, R/o Parvatiya Tola,
Krishnapuri Colony, PS- Muffasil, District- West Champaran at Present-
Gandhinagar, Telimapahi, Ward No. 3, Thana- Nagar, Motihari

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ramakant Sharma, Sr. Advocate
Mr. Lakshmi Kant Sharma, Advocate
For the Opposite Party/s : Mr. Kanhaiya Kishore(App100)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 13-03-2023 Heard learned counsels for the petitioner, the State
and opposite party No.2.

The petitioner who is husband of opposite party No.
2 apprehends arrest in a case registered for the offences
punishable under Sections 323, 354, 406, 504, 506, 420/34 and
498A of the Indian Penal Code and Section 3/4 of Dowry
Prohibition Act.

Learned counsel for the petitioner submits that the
petitioner offers and undertakes that he is ready to give
maintenance amount of Rs. 3500/-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. 3500/- 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 Sub Divisional Judicial Magistrate, Motihari in Motihari Town P. S. Case No. 21 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 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 co-operate 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/her absence on two consecutive dates without sufficient reason, his/her 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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