

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48636 of 2023

Arising Out of PS. Case No.-113 Year-2023 Thana- SANOKHAR District- Bhagalpur

1. KARUN DEVI @ ARUNA DEVI WIFE OF NARAYAN THAKUR R/O-MAHESHKHOR, P.S.-SANOKHAR, DISTT.-BHAGALPUR
2. KHUSHBU DEVI WIFE OF BAIJNATH THAKUR R/O-MAHESHKHOR, P.S.-SANOKHAR, DISTT.-BHAGALPUR
3. SHIVNATH THAKUR SON OF NARAYAN THAKUR R/O-MAHESHKHOR, P.S.-SANOKHAR, DISTT.-BHAGALPUR

... .. Petitioner/s

Versus

- 1 . THE STATE OF BIHAR
2. PUJA KUMARI W/O SHIVNATH THAKUR SON OF NARAYAN THAKUR R/O-MAHESHKHOR, P.S.-SANOKHAR, DISTT.-BHAGALPUR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Praveen Kumar , Advocate
For the Opposite Party/s : Mr. Yogendra Kumar , APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 13-12-2023 1 . Heard learned counsel for the petitioners, 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 341 , 323 , 498(A), 308 , 504, 506 and 34 of the Indian Penal Code and 3 and 4 of D P Act.

3 . Learned counsel for the petitioner submits that petitioner No. 1 and 2 are in-laws of the O . P . No. 2 and petitioner No. 3 is the husband of the O . P . No. 2 who 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 No. 3 (Shivnath Thakur) that he 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 petitioners 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 learned Judicial Magistrate 1st Class, Bhagalpur in connection with Sanokhar P . s Case No. 113 of 2023 , 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) 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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