

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53440 of 2023

Arising Out of PS. Case No.-145 Year-2023 Thana- CHANPATIA District- West Champaran

1. Gudari Mahto @ Baidyanath Mahto Son Of Late Shiv Mangal Mahto Resident Of Village Barohiya, Ps- Chanatia, Dist- West Champaran
2. Sosita Devi Wife Of Sri Gudari Mahto @ Baidyanath Mahto Resident Of Village Barohiya, Ps- Chanatia, Dist- West Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Uma Devi Wife Of Sri Gudari Mahto @ Baidyanath Mahto Resident Of Village Barohiya, Ps- Chanatia, Dist- West Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar, Advocate

For the Opposite Party/s : Mr.Damodar Pd Tiwary, Addl Public Prosecutor
Mr Bimlesh Kr.Pandey, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 24-08-2023 Heard learned counsel for the petitioners, the State and the opposite party no.2.

2. The petitioners apprehends arrest in a case registered for the offence punishable under Sections 498A/504/34 and other allied sections of the Indian Penal Code.

3. Petitioner no. 2 is second wife of petitioner no.1, whereas opposite party no.2 is his first wife. Learned counsel for the petitioners submits that the petitioner no.1 offers and undertakes that he is ready to give maintenance amount of Rs. 3500/-per month, starting from this month to the opposite party no.2.

4. In view of the aforesaid undertaking, that petitioner no.1 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 the Chief Judicial Magistrate, Bettiah, West Champaran in Chanpatia Police Station Case No. 145 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:-

(i) 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.

(ii) Petitioner no.1 would deposit the aforesaid maintenance amount per month in the saving bank account of the opposite party no.2.

(iii) In case, the petitioner no. 1 fails to deposit the maintenance amount for two consecutive months, the court below would be at liberty to cancel the bail-bond.

(iv) 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)

shashi/-

U		T	
---	--	---	--

