

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.65254 of 2022**

Arising Out of Case No.-133 Year-2022 COMPLAINT CASE, Naugachia, District-  
Bhagalpur

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DIWAS KUMAR S/O Ravindra Pandit R/O Village- Rajapur, Ward No-8,  
Post- Ulao, P.S- Muffasil, (Singhoul O.P), District- Begusarai

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sushila Kumari W/O Diwas Kumar D/O Parmadand Pandit, Resident of  
Village- Bhawanipur, Post Nagarpara, P.S- Bihpur, District- Bhagalpur

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Sandip Kumar Gautam

For the Opposite Party/s : Mr.Lakshmi Kant Sharma

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH  
ORAL ORDER**

4      12-05-2023                      On 11.04.2023 following order was passed in this  
case:-

*“Heard learned counsel for the parties.*

*The petitioner, husband of Opposite Party No. 2  
apprehends his arrest in Complaint Case No. 133 of 2022  
registered for the offence punishable under Sections 323, 307,  
312, 313, 498 (A), 504, 506/ 34 of the Indian Penal Code and  
Section 3/4 of Dowry Prohibition Act.*

*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.*



*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 Sub Divisional Judicial Magistrate, Naugachia in connection with Complaint Case No. 133 of 2022 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.*

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



It is submitted that in the cause title of the order dated 11.04.2023 name of district has wrongly been mentioned as Begusarai in stead of Bhagalpur, therefore, the order has been communicated in the district of Begusarai in place of Bhagalpur.

Let the aforesaid error be corrected and the order shall be treated to be passed in Complaint case No. 133/ 2022 pending in the court of Sub Divisional Judicial Magistrate, Naugachia, Bhagalpur.

Office is directed to correct the cause title of the case, accordingly..

Four weeks further time from the date of order is allowed to the petitioner to surrender before the court below.

**(Prabhat Kumar Singh, J)**

BKS/-

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