

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71194 of 2022

Arising Out of PS. Case No.-2423 Year-2021 Thana- VAISALI COMPLAINT CASE
District- Vaishali

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Mukesh Kumar S/O Janak Sah Resident of village- Govindpur Bela, P.S.-
Baligaon, District- Vaishali.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sundarmala Kumari W/O Mukesh Kumar, D/O Ramjanam Sah Resident of
village and P.O.- Dabhaich, P.S.- Tisiauta, District- Vaishali.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjay Kumar @ S.K.
For the Opposite Party/s : Mr.Tarkeshwar Nath Thakur

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 04-04-2023 Heard learned counsel for the parties.

The petitioner, husband of Opposite Party No. 2 apprehends his arrest in Complaint Case No. 2423 of 2021 registered for the offence under Section 498(A) and other allied sections of the Indian Penal Code.

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-Judge-cum-Additional Chief Judicial Magistrate IInd, Vaishali at Hajipur in connection with Complaint Case No. 2423 of 2021 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.

(Prabhat Kumar Singh, J)

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