

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.70647 of 2022**

Arising Out of PS. Case No.-49 Year-2022 Thana- MAHILA PS District- East Champaran

BITTU PASWAN @ BITTU KUMAR S/o Ravindra Paswan R/o Village-  
Bankat Pataura, P.S.- Mufassil, Distt- East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Kajal Devi W/o Bittu Paswan @ Bittu Kumar, D/o Ramjinis Paswan Residing at Village- Resident of village- Bankat Pataura, P.S.- Mufassil, Distt- East Champaran. At present she is residing at village- Jagatiya, P.S.- Pakdidayal, Distt- East Champaran.

... .. Opposite Party/s

**Appearance :**

|                            |                                                |
|----------------------------|------------------------------------------------|
| For the Petitioner/s :     | Mr.Asif Kalim, Advocate                        |
| For the Opposite Party/s : | Mr.Jharkhandi Upadhyay, Addl Public Prosecutor |
|                            | Mr. M.S.Tiwari, Advocate                       |

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

3      02-08-2023                      Heard learned counsel for the petitioner, 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 498A/379/34 and other allied sections of the Indian Penal Code and Sections 3 & 4 of the Dowry Prohibition Act.

3. Learned counsel for the petitioner submits that the petitioner offers and undertakes that he is ready to give maintenance amount of Rs. 3000/-per month, starting from this month to the opposite party no.2.

4. In view of the undertaking of learned counsel for the petitioner that petitioner 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 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, Motihari, East Champaran in Mahila Police Station Case No. 49 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:-

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

(iii) 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.

(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)**

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