

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71085 of 2022

Arising Out of PS. Case No.-571 Year-2022 Thana- KHAGARIA District- Khagaria

NIBHASH KUMAR @ BIBHASH KUMAR Son of Siyaram Yadav Resident
of Village- Kothiya, P.S.- Muffasil, District- Khagaria

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Soni Kumari D/O Lakhsman Kumar Resident of Village- Bahadur Pur, P.S.-
Alauli, District- Khagaria

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shekhar Kumar Singh
For the Opposite Party/s : Mr. Akbar Ali

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 19-09-2023 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 Section 498A 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, Khagaria in Khagaria (Muffasil) Police Station Case No. 571 of 2022, GR No. 1603 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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