

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.4046 of 2024**

Arising Out of PS. Case No.-535 Year-2022 Thana- MADHUBANI COMPLAINT CASE  
District- Madhubani

=====

Sunil Kumar Yadav @ Sunil Kumar SON OF Umesh Chandra Yadav  
MOHALLA -KATHALWADI PS -LALIT NARAYAN MITHILA  
UNIVERSITY DISTRICT -DARBHANGA

... .. Petitioner/s

Versus

- 1 . The State of Bihar
2. Lalita Devi WIFE OF SUNIL KUMAR YADAV @ SUNIL KUMAR  
VILLAGE- ATRI WARD NO 5 PS -LOKHI DISTRICT -MADHUBANI

... .. Opposite Party/s

=====

**Appearance :**

|                          |   |                                  |
|--------------------------|---|----------------------------------|
| For the Petitioner/s     | : | Mr. Bhaskar Shankar , Advocate   |
| For the Opposite Party/s | : | Mr. Bishweshwar Ram , APP        |
| For OP 2                 | : | Mr. Manoj Kumar Pandey, Advocate |
|                          |   | Ms. Kumari Pallavi , Advocate    |

=====

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

7      10-09-2024                                      Heard learned counsel for the parties.

2. The petitioner who is husband of opposite party  
No. 2 apprehends arrest in a case registered for the offences  
punishable under Sections 323, 498A, 406 and 34 of the Indian  
Penal Code .

3. Earlier, the matter was referred to the Mediation  
Center to resolve the dispute between the parties but from the  
Mediator's Report dated 05.09.2024 it appears that the  
mediation between the parties has failed.

4. Learned counsel for the petitioner submits that the  
petitioner offers and undertakes that he is ready to give



maintenance amount of Rs. 4000/- per month, starting from this month, to opposite party No. 2.

5 . In view of the undertaking of learned counsel for the petitioner that petitioner is ready to give maintenance amount of Rs. 4000/- (four thousand) per month to the opposite party No. 2, in the event of arrest/surrender within a period of six weeks from today, let the 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 learned SDJM Jhanjharpur District Madhubani in connection with C R Case No. 535 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:-

‘(1) Opposite party No. 2 would file an affidavit before the court below and bring on record her savings bank account number for its communication to the petitioner.

(2) Petitioner would deposit the aforesaid maintenance amount per month in the savings 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) 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)**

Koushik/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

