

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7569 of 2024

Arising Out of PS. Case No.-232 Year-2023 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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Arman Alam S/O Islam Dewan @ Ishlam Sha R/O Village- Pareuwa, Ward
No. 1, P.S- Raxaul, Distt.- East Champaran.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Khushbun Nesha W/O Arman Alam, D/O Kalamuddin Dewan R/O Village-
Pareuwa, Ward No. 1, P.S- Raxaul, Distt.- East Champaran. Presently
Resident Of Village- Kachurwadi, P.S- Adapur (HARPUR), Distt.- East
Champaran.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Mr. Ajay Kumar Singh, Advocate
For the Opposite Party/s :	Mr. Ramesh Chandra, A.P.P.
	Mr. Sunil Kumar No.III, Advocate

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 17-05-2024 Earlier, *vide* order dated 10.04.2024, the matter was

referred to the Mediation and Conciliation Centre, Patna High

Court, Patna, but as per the Mediator's Report (flag 'M'), the

mediation has failed.

2. Heard learned counsel for the parties.

3. The petitioner who is husband of opposite party

No. 2 apprehends arrest in a case registered for the offences

punishable under Sections 313, 323, 307, 406, 498A of the

Indian Penal Code.

4. 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 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. 3000/- (three 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 Sub-Divisional Judicial Magistrate, Raxaul, East Champaran, Motihari in connection with Complaint Case No. 232/2023 (Tr. No. 2614/2023), 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)

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