

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6148 of 2024

Arising Out of PS. Case No.-137 Year-2023 Thana- BEN P.S. District- Nalanda

Rakesh Kumar Son of Krishna Paswan Resident of Village Marsua, P.S.- Ben,
District- Nalanda

... .. Petitioner/s

Versus

1. The State of Bihar
2. Bhushan Paswan Son of Late Prabhu Dayal Paswan Resident of village-
Baigni, P.S.- Hulasganj, Distt.-Jehanabad

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Sudish Kumar, Advocate
For the Opposite Party/s :	Mr. Bishweshwar Ram, A.P.P. Mr. Dharendra Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 18-04-2024 Heard learned counsel for the parties.

2. The petitioner apprehends arrest in a case registered for the offences punishable under Sections 341, 323, 498A, 504, 506/34 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

3. Earlier, the matter was referred to the Mediation Center to resolve the dispute between the parties but from the Mediator's Report dated 04.04.2024 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. 3,000/- per month, starting from this



month, to the daughter of the 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. 3,000/- (three thousand) per month to the daughter of 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 Chief Judicial Magistrate, Nalanda at Bihar Sharif in connection with Ben P. S. Case No. 137 of 2023, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure as well as the following conditions:-

‘(1) The daughter of the 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 daughter 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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