

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10071 of 2024

Arising Out of PS. Case No.-258 Year-2023 Thana- KHAIRA District- Jamui

Amit Kumar S/o Shree Shankar Singh R/o Vill - Darha, P.S. - Belhar, Dist. - Banka

... .. Petitioner/s

Versus

1. The State of Bihar
2. Neha Kumari W/o Amit Kumar, D/o Anil Mandal R/o Vill- Darha, Dist. - Belhar, R/o Vill - Jorwah, P.S. - Khaira, Dist. - Jamui

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Madhukar Mishra, Advocate

For the Opposite Party/s : Mr. Pronoti Singh, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 11-09-2024

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 and 504 of the Indian Penal Code and 3 /4 of 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 23.08.2024 , 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. 5000/- 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. 5000/- (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 the learned CJM Jamui in connection with Khaira P S Case No. 258 of 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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