

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12610 of 2024

Arising Out of PS. Case No.-778 Year-2022 Thana- DIGHA District- Patna

Abhinav Prakash @ Abhinav Son of Ashok Kumar R/o 404, Signature Tower,
Beside Kurji Pul, P.S. - Digha, Distt. - Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sandhya Kumari W/o Abhinav Prakash, D/o Ramchandra Baith Presently Residing at Shanti Sadan, Nutan - Dih Roh Colony, Near Central Hospital, Dhanbad, P.S. - Saraidhela, Distt. - Dhanbad, Pin 826003(Jharkhand)

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Jagjit Roshan, Adv.
For the Opposite Party/s	:	Mr. Satyendra Prasad, APP
		Mr. Anuj Kumar, Adv.
		Mr. Aditya Pandey, Adv.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 29-07-2024 Earlier, the matter was referred to Mediation Centre, but the dispute between the parties could not be settled through the process of mediation and as such, mediation failed (report at flag 'A').

2. Heard the parties.

3. The petitioner apprehends his arrest in connection with Digha P.S. Case No. 778 of 2022 for the offences punishable under Sections 498A, 504, 506 and 509 of the Indian Penal Code.

4. Learned counsel appearing on behalf of the petitioner submits that the petitioner is the husband of the Opposite party



no. 2. The petitioner offers and undertakes that he is ready to give maintenance amount of Rs. 3,000/- 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. 3,000/- (three thousand) per month to the opposite party no. 2, in the event of arrest or surrender before the learned court below within a period of six weeks from today, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate-XIII, Patna in connection with Digha P.S. Case No. 778 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C 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 savings bank account number for its communication to the petitioner.

(ii) Petitioner would deposit the aforesaid maintenance amount per month in the savings bank account of the O.P. 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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