

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13135 of 2024

Arising Out of PS. Case No.-1294 Year-2021 Thana- COMPLAINT CASE District- Banka

Rajesh Kumar Son of Laxman Singh R/o Mohalla- Diuri, P.S.- Raipur,
District- Sonbhadra, Uttar Pradesh, Pin Code- 231213

... .. Petitioner

Versus

1. The State of Bihar
2. Pooja Kumari D/o Saryu Chaoudhary R/o Village- Daliya, P.O.- Baunsi,
P.S.- Baunsi, Distt.- Banka, Pincode- 813104

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jitendra Kumar Giri, Advocate

For the Opposite Party/s : Mr.Binod Kumar, A.P.P.

Mr. RK Pandey, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

6 26-09-2024 Heard learned counsel for the petitioner, the State and
the opposite party no.2.

2. The petitioner, who is husband of opposite party
no.2, apprehends arrest in a case registered for the offence
punishable under Sections 498A/323/504 of the Indian Penal
Code and Sections 3 & 4 of the Dowry Prohibition Act.

3. Mediator's report dated 31.8.2024 reveals that in
spite of efforts, dispute between the parties could not be
resolved through process of mediation. However, it is submitted
by 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 the
opposite party no.2.

4. In view of the undertaking of learned counsel for
the petitioner that petitioner is ready to give maintenance
amount of Rs. 5000/- per month, in the event of arrest/surrender
within a period of six weeks from today, 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 Sub Divisional Judicial Magistrate, Banka in Complaint Case No. 1294 of 2021, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure 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 saving bank account number for its communication to the petitioner.

(ii) Petitioner would deposit the aforesaid maintenance amount per month in the saving bank account of the opposite party 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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