

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15614 of 2024

Arising Out of PS. Case No.-212 Year-2021 Thana- COMPLAINT CASE District- Lakhisarai

Abhishek Saw @ Janu S/O Vimal Saw R/O Varo Gachhi, P.S- Fulwariya,
Distt.- Begusarai, Presently Residing At Tarak Chatterjee Lane No. 21/02,
Shobha Bazar, Varo Patti, P.S- Shobha Bazar, Distt.- Kolkata (WEST Bengal).

... .. Petitioner/s

Versus

1. The State of Bihar
2. Manisha Kumari D/O Dinesh Saw R/O Naya Bazar, Gosai Tola, Ward No. 21, P.S- Kavaia, Distt.- Lakhisarai.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Udbhav Udbhav, Adv.
For the Opposite Party/s	:	Mr. Dilip Kumar No. 1, APP Mr. Manoj Kumar, Adv.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 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 'M').

2. Heard the parties.

3. The petitioner apprehends his arrest in connection with Complaint Case No. 212C of 2021 for the offences punishable under Sections 323, 498A and 504 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 Judicial Magistrate-I, Lakhisarai in connection with Complaint Case No. 212C of 2021, 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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