

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15634 of 2024

Arising Out of PS. Case No.-1647 Year-2019 Thana- SIWAN COMPLAINT CASE District-
Siwan

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Amit Paswan @ Arun Paswan @ Amit Kumar Son of Rajendra Paswan
Resident of Village- Mohalla - Nirala Nagar Siwan Near Ada No. 01, Ward
No. 06, P.S.- Siwan Nagar, Dist.- Siwan

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rekha Devi Wife of Amit Paswan @ Arun Paswan Resident of Village-
Mohalla- Nirala Nagar Siwan Near Ada No.-01, Ward No. 06, P.S.- Siwan
Nagar, District- Siwan, And also present Resident - Rekha Devi, D/o
Vikrama Ram, Village- Vidurati Hata Siwan, P.O. and P.S.- Siwan Mufassil,
District- Siwan

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Rajesh Kumar, Adv.
For the State	:	Mr. Damodar Prasad Tiwary, APP
For the O.P. No. 2	:	Mr. Raghav Prasad, Adv.
		Ms. Urmila Kumari, Adv.
		Mr. Chandra Shekhar, Adv.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 15-05-2024 Heard learned counsel for the petitioner, learned

counsel for the State and learned counsel for the opposite party

no. 2.

2. The petitioner apprehends his arrest in connection with

Complaint Case No. 1647 (C) of 2019 registered under Section

498A of the Indian Penal Code and Section 4 of the Dowry

Prohibition Act.

3. 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. 5,000/- per month, starting from this month, to 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. 5,000/- (five 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 four 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 Sub-Divisional Judicial Magistrate, Siwan in connection with Complaint Case No. 1647 (C) of 2019, 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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