

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15589 of 2024

Arising Out of PS. Case No.-1083 Year-2022 Thana- NALANDA COMPLAINT CASE
District- Nalanda

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Randhir Kumar S/o Hariharan Yadav R/o vill - Kishunpur, P.S. - Noorsarai,
Distt. - Nalanda

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rekha Kumari @ Rekha Devi W/o Randhir Kumar, D/o Jagdish Yadav R/o vill - Kare, P.s. - Sheikhpura, Distt. - Sheikhpura

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binit Kumar, Adv.
For the Opposite Party/s : Mr. Anita Kumari, APP
Mr. Bajrangi Lal, Adv.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 03-10-2024 Heard learned counsel for the petitioner, learned
A.P.P. for the State and learned counsel for the opposite party
No. 2.

2. The petitioner apprehends his arrest in connection with
Complaint Case No. 1083 (C) of 2022 registered under Section
498A of the Indian Penal Code.

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. Learned counsel for the opposite party No. 2 does not



dispute the aforesaid contention.

5. 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 eight weeks from today, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount to the satisfaction of learned Chief Judicial Magistrate, Nalanda at Bihar Sharif in connection with Complaint Case No. 1083 (C) 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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