

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14557 of 2024

Arising Out of PS. Case No.-103 Year-2023 Thana- MALI District- Aurangabad

Mantosh Kumar @ Mantosh Kumar Mehta S/O Chhathan Mehta R/O Village-
Bishunpura Parsa Jain Tola, Pachhauriya Bigha, P.S- Mali, Distt.-
Aurangabad, Bihar.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Soni Devi W/O Mantosh Kumar @ Mantosh Kumar Mehta R/O Village-
Bishunpura Parsa Jain Tola, Pachhauriya Bigha, P.S- Mali, Distt.-
Aurangabad Bihar And Daughter Of Jai Nandan Mehta, Resident Of Village-
Beri, P.S- Salaiya, Distt- Aurangabad, Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Ms. Rupa Kumari, Adv.
For the Opposite Party/s :	Ms. Asha Kumari, APP
	Mr. Shailesh Kumar Singh, 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 'B').

2. Heard the parties.

3. The petitioner apprehends his arrest in connection with

Mali P.S. Case No. 103 of 2023 for the offences punishable

under Sections 498A and 34 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 Chief Judicial Magistrate, Aurangabad in connection with Mali P.S. Case No. 103 of 2023, 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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