

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.16136 of 2024**

Arising Out of PS. Case No.-539 Year-2023 Thana- PURNIA COMPLAINT CASE District-  
Purnia

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Om Kashyap S/o Sri Dilip Kumar Jha R/o Mohalla - Congress Office Road,  
Subhash Nagar, P.S. - K. Hat (Maranga), Dist. - Purnea (Bihar)

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rashmi Kumari @ Rashmi Jha W/o Om Kashyap, D/o Anil Kumar Jha  
Presendly residing at Mohalla Rajendra Nagar, Kali Prasad Tola,  
Madhubani, P.S. - K. Hat, Dist. - Purnea (Bihar)

... .. Opposite Party/s

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**Appearance :**

|                          |   |                                                        |
|--------------------------|---|--------------------------------------------------------|
| For the Petitioner/s     | : | Mr. Mritunjay Kumar, Advocate                          |
| For the Opposite Party/s | : | Mr. Mohammed Arif, A.P.P.<br>Mr. Bipin Kumar, Advocate |

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH**  
**ORAL ORDER**

4      09-07-2024                      Earlier, *vide* order dated 14.03.2024, the matter was referred to the Mediation and Conciliation Centre, Patna High Court, Patna, but as per the Mediator's Report (flag 'B'), the mediation has failed.

2. Heard learned counsel for the parties.

3. The petitioner who is husband of opposite party No. 2 apprehends arrest in a case registered for the offences punishable under Sections 498A, 420/34 of the Indian Penal Code and Sections 3/4 of the Dowry Prohibition Act.

4. Learned counsel for the petitioner submits that the petitioner offers and undertakes that he is ready to give



maintenance amount of Rs. 3000/- 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. 3000/- (three thousand) per month to the opposite party No. 2, in the event of arrest/surrender within a period of six weeks from today, let the 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 Sub-Divisional Judicial Magistrate, Purnea in connection with Complaint Case No. 539 of 2023, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure as well as on the following conditions:-

‘(1) 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.

(2) Petitioner would deposit the aforesaid maintenance amount per month in the savings bank account of the opposite party No. 2.

(3) 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.

(4) 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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