

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21044 of 2024

Arising Out of PS. Case No.-46 Year-2021 Thana- MIRGANJ District- Gopalganj

Shyam Sundar Prasad @ Shyam Sundar Kumar S/O- Ashok Prasad R/O-
Village- Usari Bujurg, P.S.- M.H. Nagar Hasanpura, Dist.- Siwan.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sudha Kumari D/o- Jagdish Prasad W/o- Shyam Sunder Prasad R/o-
Mirganj,(East) PO- PS- Mirganj Dist- Gopalganj

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Sailendra Kumar Dwivedi, Adv.
For the Opposite Party/s :	Mr. Chandra Bhushan Prasad, APP
	Mr. Shubhesh Pandey, Adv.
	Mr. Amit Kumar Mishra, Adv.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 05-09-2024 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 learned counsels for the parties.

3. The petitioner apprehends his arrest in connection with

Mirganj P.S. Case No. 46 of 2021 for the offences punishable

under Sections 498A/34 of the Indian Penal Code and Section 3/4

of the Dowry Prohibition Act.

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. Learned counsel appearing on behalf of the opposite party no. 2 does not dispute the contention made on behalf of the petitioner.

6. 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 eight 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 Additional Chief Judicial Magistrate-XV, Gopalganj in connection with Mirganj P.S. Case No. 46 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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