

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18603 of 2024

Arising Out of PS. Case No.-445 Year-2023 Thana- DARIYAPUR District- Saran

ROHIT KUMAR @ ROHIT RAI SON OF RAMA NAND SINGH Resident
of Parsauna, Saran, P.S. - Parsa, District - Saran, Bihar - 841219

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. NEETU KUMARI WIFE OF ROHIT RAI Resident of Village - Barwae,
P.S. - Dariyapur, District - Saran, Bihar - 841219

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sujit Kumar , Advocate

For the Opposite Party/s : Mr. Madan Kumar , APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 12-07-2024 1 . Heard learned counsel for the petitioner, the
State and the opposite party no.2.

2. The petitioner who is husband of opposite party no.
2 apprehends arrest in a case registered for the offence
punishable under Sections 341 , 323 , 324, 427, 498 (A) and 34
of the Indian Penal Code and 3/ 4 of the D. P Act.

3 . Learned counsel for the petitioner submits dispute
between the parties has been resolved through the process of
mediation vide mediation report dated 27.05.2024 . It is further
submitted that after mediation , petitioner had gone to the house
of the opposite party No. 2 to take him to her matrimonial
house but opposite party No. 2 denied to go with him. However,



the petitioner offers and undertakes that he is ready to give maintenance amount of Rs. 4000/-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. 4000/- per month, in the event of arrest/surrender within a period of six weeks from today, 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 the learned Chief Judicial Magistrate , Saran at Chapra in connection with Dariyapur PS Case No. 445 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 saving bank account number for its communication to the petitioner.

(2) Petitioner would deposit the aforesaid maintenance amount per month in the saving 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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