

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17110 of 2023

Arising Out of PS. Case No.-1512 Year-2019 Thana- PATNA COMPLAINT CASE District-
Patna

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VISHWAJEET KUMAR Son of Late Chhotan Prasad R/o Village - Takia Par,
Mahadeo Mills, P.S.- Malsalami, District – Patna Petitioner
Versus

1. The State of Bihar
2. Rupa Kumari Wife of Vishwajeet Kumar D/o Ashok Kumar, R/o - Gariban
Tola, Bari Nagla, P.S.- Malsalami, District - Patna.
... .. Opposite Party

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Appearance :

For the Petitioner : Mr.Avanindra Kumar Jha, Advocate
For the Opposite Party : Mr.Md. Matloob Rab, Addl Public Prosecutor
Mr. F Ali Ahmad, Advocate

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 15-05-2024 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 498A/34 of the Indian Penal Code
and Sections 3 & 4 of the Dowry Prohibition Act.

3. It is submitted by 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 the opposite party no.2.

4. Opposite party no.2 has filed counter affidavit
stating that the petitioner is not following the conditions of
settlement dated 10.8.2023.

5. In view of the undertaking of learned counsel for
the petitioner that petitioner is ready to give maintenance
amount of Rs. 3000/- 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 Sub Divisional Judicial Magistrate, Patna city, Patna in Complaint Case No. 1512 of 2019, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure 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 saving bank account number for its communication to the petitioner.

(ii) Petitioner would deposit the aforesaid maintenance amount per month in the saving bank account of the opposite party 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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