

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.21616 of 2024

Arising Out of PS. Case No.-328 Year-2022 Thana- ROHTAS COMPLAINT CASE District-
Rohtas

Prabhakant Giri Son of Yogendra Giri Permanent Resident of Village- Sarana Mathiya, Police Station- Dinara, District- Rohtas (Bihar), At present resident of 105 Chotpur Colony near Shiv Mandir, Police Station- Bahlolpur District- Gautam Budha Nagar (Uttar Pradesh), Pin-201304

... .. Petitioner/s

Versus

1. The State of Bihar
2. Jyoti Giri Wife of Prabhakant Giri , D/o of Jwala Giri Resident of Mohalla- Mathgothani, Police Station- Suryapura, District- Rohtas

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajani Kant Singh, Adv.
For the Opposite Party/s : Mr. Md. Matloob Rab, APP
Mr. Sudish Kumar, Adv.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 25-06-2024

Heard the parties.

2. The petitioner apprehends his arrest in connection with Complaint Case No. 328 of 2022 registered under Section 498A, 504, 323 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

3. 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.

4. 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 Sub-Divisional Judicial Magistrate, Bikramganj, Rohtas in connection with Complaint Case No. 328 of 2022, 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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