

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30583 of 2024

Arising Out of PS. Case No.-863 Year-2023 Thana- DIGHA District- Patna

Kundan Kumar @ Kundan Kumar Sharma SON OF JAI NANDAN SHARMA Resident Of Village -Mohalla Ram nagar Colony PS -danapur, Dist- patna

... .. Petitioner/s

Versus

- 1 . The State of Bihar
2. RAJ KUMAR SON OF LATE SIVDHARI THAKUR RESIDENT OF VILLAGE- KURJI BALU PAR, HOUSE NO 14, POST- SADAKAT ASHRAM, PS- DIGHA, DIST- PATNA

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Ajay Kumar , Advocate
For the Opposite Party/s :	Mr. Shailendra Kumar , APP
For OP 2 :	Mr. Prabhakar Nath Rai , Advocate
	Mr. Kundan Raj, Advocate
	Mr. Somya Roshan, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 12-09-2024 Heard learned counsel for the parties.

2. The petitioner who is husband of daughter of opposite party No. 2, apprehends arrest in a case registered for the offences punishable under Sections 363 , 498A and 365 of the Indian Penal Code and Sections 3/ 4 of the D. P Act.

3. Earlier, the matter was referred to the Mediation Center to resolve the dispute between the parties but from the Mediator's Report dated 06.09.2024 it appears that the mediation between the parties has failed.

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 the daughter of opposite party No. 2 namely Priyanka Kumari .

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 daughter of opposite party No. 2 namely Priyanka Kumari, in the event of arrest/surrender within a period of eight 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 the learned ACJM - XIII Patna in connection with Digha P S Case No. 863 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) The daughter of opposite party No. 2 namely Priyanka Kumari 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 daughter of opposite party No. 2 namely Priyanka Kumari.

(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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