

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.28567 of 2024

Arising Out of PS. Case No.-32 Year-2022 Thana- DARBHANGA COMPLAINT CASE
District- Darbhanga

Ashok Chaudhary Son Of Late Ram Vinod Chaudhary Resident Of Village-
Pokhram, Ps- Biraul, Dist- Darbhanga

... .. Petitioner/s

Versus

1. The State of Bihar
2. Kavita Devi Wife Of Mr. Ashok Chaudhary Resident Of Village- Pokhram,
Ps- Biraul, Dist- Darbhanga D/O- Mr. Krishna Kumar Jha, R/V- Pohaddi,
Ps- Bahera, Dist- Darbhanga

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Ms. Vaishnavi Singh, Adv.
For the State	:	Mr. Mohammed Arif, APP
For the O.P. No. 2	:	Mr. Saurav Barid, Adv.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 14-05-2024 Heard the parties.

2. The petitioner apprehends his arrest in connection with
Complaint Case No. 32 of 2022 registered under Sections 494,
498A and 34 of the Indian Penal Code.

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, Benipur, Darbhanga in connection with Complaint Case No. 32 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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