

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38914 of 2024

Arising Out of PS. Case No.-1525 Year-2021 Thana- COMPLAINT CASE District- Araria

Kailash Kumar son of Late Ramanand Yadav @ Rameshwar Yadav Village-
Maujaha Ps- Bhargama Dist- Araria, A/P-H. No-60, Gali No-2, Kapasera
Near Ps- Gurugawn Road South West Delhi

... .. Petitioner/s

Versus

1. The State of Bihar
2. Shabnam Kumari wife of Kailash Kumar, D/o- Chandra Kishore Singh
Village- Barbanna Diwan Tola W.No-12, Ps- Raniganj Dist- Araria

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Gopal Kumar Jha, Advocate
For the Opposite Party/s	:	Mr. Damodar Prasad Tiwary, APP
For OP 2	:	Mr. Mukesh Kumar Rana, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 12-09-2024 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 323 , 498 (A) and 379 of the Indian
Penal Code and Section 4 of the D. P Act.

3 . 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 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. 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 learned JM 1st Class Araria in connection with Complaint Case No. 1525 C of 2021 , 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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