

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41442 of 2024

Arising Out of PS. Case No.-953 Year-2023 Thana- BHABHU(KAIMUR) COMPLAIN C
District- Kaimur (Bhabua)

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Tripurari Pandey S/o Ram Adhar Pandey R/o vill - Chand, P.S. - Chand, Distt.
- Kaimur at Bhabua

... .. Petitioner/s

Versus

1. The State of Bihar
2. Priyam Kumari W/o Tripurari Pandey, D/o Ashok Pathak R/o vill - Chand,
P.S. - Chand, Distt. - Kaimur at Bhabua, at present R/o vill - Pathkauliya,
P.O. - Fakarbad, P.S. - Kudra, Distt. - Kaimur at Bhabua

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan, Adv.

For the Opposite Party/s : Ms. Sucheta Yadav, APP

Mr. Rajesh Kumar Pathak, Adv.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 07-10-2024 Earlier, the matter was referred to Mediation Centre,

but the dispute between the parties could not be settled through

the process of mediation and as such, mediation failed (report at

flag 'M').

2. Heard learned counsel for the petitioner, learned A.P.P.

for the State and learned counsel for the opposite party No. 2.

3. The petitioner apprehends his arrest in connection with

Bhabua Complaint Case No. 953 of 2023 for the offences

punishable under Sections 498A, 406/34 of the Indian Penal

Code and Section 3/4 of the Dowry Prohibition Act.

4. 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. 2,500/- per month, starting from this month, to opposite party no. 2.

5. Learned counsel appearing on behalf of the opposite party no. 2 does not dispute the contention made on behalf of the petitioner.

6. In view of the undertaking of learned counsel for the petitioner that petitioner is ready to give maintenance amount of Rs. 2,500/- (twenty five hundred) per month to the opposite party no. 2, in the event of arrest or surrender before the learned court below within a period of eight 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 learned Sub-Divisional Judicial Magistrate, Kaimur at Bhabua in connection with Bhabua Complaint Case No. 953 of 2023, 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 maintenance2024 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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