

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45704 of 2024

Arising Out of PS. Case No.-384 Year-2022 Thana- BUXAR COMPLAINT CASE District-
Buxar

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Sanjay Choubey Son Of Ravishankar Choubey Village- Kiroulli, P.S.-
Dumron, Distt.- Buxar,

... .. Petitioner/s

Versus

1. The State of Bihar
2. Jaya Choubey W/O- Sanja Choubey, D/O- Rishimuni Upadhyay Village-
Kiroulli, P.S.- Dumaron, Distt.- Buxar Presently Resides At Near Sumitra
Mahila College, P.S.- Dumaorn, District- Buxar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajiv Ranjan Kumar Pandey, Adv.
For the Opposite Party/s : Mr. Nand Kumar, APP
Mr. Arun Kumar Lal, Adv.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 06-08-2024 Heard the parties.

2. The petitioner apprehends his arrest in connection with
Complaint Case No. 384(C) of 2022 arising out of Dumaron
P.S. Case No. 129 of 2020 offences punishable under Sections
498A and 323 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 Chief Judicial Magistrate, Buxar in connection with Complaint Case No. 384(C) of 2022 arising out of Dumaron P.S. Case No. 129 of 2020, 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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