

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55330 of 2023

Arising Out of PS. Case No.-647 Year-2022 Thana- VAISALI COMPLAINT CASE District-
Vaishali

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Niraj Kumar Son Of Devendra Thakur Resident Of Village- Chakausan
Bajitpur, Ps- Bidupur, Dist- Vaishali

... .. Petitioner/s

Versus

1. The State of Bihar
2. Chandani Kumari Wife Of Niraj Kumar Resident Of Village- Patwa
Tolilalganj, Ps- Lalganj, Dist- Vaishali

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Ram Shankar Das, Adv.
For the State	:	Mr. Umesh Lal Verma, APP
For the O.P. No. 2	:	Ms. Sweety Sinha, Adv. Dr. Manoj Kumar, Adv.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 16-05-2024 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 'A').

2. Heard the parties.

3. The petitioner apprehends his arrest in connection with

Complaint Case No. 647 of 2022 registered under Section 498A

of the Indian Penal Code.

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. 3,000/- per month, starting from this month, to opposite party no. 2.

5. 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 Additional Chief Judicial Magistrate-II, Vaishali at Hajipur in connection with Complaint Case No. 647 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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