

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48838 of 2024

Arising Out of PS. Case No.-58 Year-2024 Thana- HARNAUT District- Nalanda

Nitish Kumar S/o Birmani Sao R/o vill - Harnaut Near Swami Vivekanand
School, P.S. - Harnaut, Distt. - Nalanda

... .. Petitioner/s

Versus

1. The State of Bihar
2. Aradhana Kumari D/o Vinay Singh R/o vill - Nandabigha, P.S. - Harnaut,
Distt. - Nalanda

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Raj Krishna Jha, Advocate
For the Opposite Party/s :	Mr. Umeshanand Pandit, APP
	Mr. Chandra Shekhar Sharma, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 26-10-2024 Heard learned counsel for the petitioner, learned
A.P.P. for the State and Umeshanand Pandit, learned counsel for
opposite party no. 2.

2. The petitioner apprehends his arrest in a case
registered for the offences under Sections 504, 498(A), 34 of the
Indian Penal Code and Section 3 / 4 of the Dowry Prohibition
Act.

3. It is alleged that this petitioner alongwith his father
demanded dowry from opposite party no. 2 and due to non-
fulfillment of the same, the opposite party no. 2 was insulted
and assaulted and finally, ousted from her matrimonial house.

4. Petitioner denies the factum of marriage, however,
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/surrender within a period of eight weeks from today, let the 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 learned A.C.J.M. 1st Nalanda at Bihar Sharif / concerned court in connection with Harnaut P.S. Case No. 58/2024, 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 savings bank account number for its communication to the petitioner.
- (2) Petitioner would deposit the aforesaid maintenance amount per month in the savings 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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