

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57533 of 2023

In
CRIMINAL MISCELLANEOUS No.16556 of 2022

Arising Out of PS. Case No.-335 Year-2017 Thana- SERGHATI COMPLAINT CASE Dis-
trict- Gaya

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Om Prakash Das Son Of Sitaram Das Resident Of Village- Nimiyatand, Ps-
Barachati, Distt- Gaya

... .. Petitioner/s

Versus

1. The State of Bihar
2. Pinki Devi Daughter Of Shri Ramanand Das Resident Of Village- Lakhaiy-
pur, Ps- Mohanpur, Distt- Gaya

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Gajendra Kumar Singh
For the Opposite Party/s	:	Mr.Anand Kishore Choudhary

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 02-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has filed the instant application for
modification of the order dated 29.11.2022 passed in Cr. Misc.
No. 16556 of 2022, to the extent of extending the period of
surrender, whereby while granting anticipatory bail to the
petitioner in connection with Complaint Case No. 335 of 2017,
the petitioner was directed to give Rs. 3,000/- per month to his
wife as maintenance and to surrender before the Court below
within a period of four weeks and while accepting the bail bond
of the petitioner learned court below was directed to verify the



receipt of deposit of Rs. 3,000/- in the account of the complainant. He seeks further four weeks time for surrender before the court below.

It is submitted by learned counsel for the petitioner that complainant has not provided her account number to the petitioner till date after making several efforts. It is further submitted that cost of Rs. 1,000/- was also imposed on the complainant by the learned SDJM, Sherghati, Gaya on 24.12.2022 for causing vexation to the petitioner husband as he is unable to comply the High Court Order without getting her account number.

In that view of the matter, the petitioner is directed to deposit the arrear amount as directed by this Court vide order dated 29.11.2022 passed in Cr. Misc. No. 16556 of 2022 in the *Nazarat* of concerned Civil Court. The petitioner is further directed to deposit Rs. 3000/- per month in the *Nazarat* as directed by this Court as the complainant has not furnished the bank account number to the petitioner so that the amount could be deposited in her account.

The court below is directed to accept the bail bonds of the petitioner if the petitioner surrenders before the learned Court below within a period of four weeks from today and on



showing receipt of up-to-date payment by the petitioner as directed by this Court vide order dated 29.11.2022 passed in Cr. Misc. No. 16556 of 2022.

The Court below is also directed to release the amount as deposited by the petitioner in the *Nazarat* to the complainant, if she files appropriate application and submits her bank account number before the learned Court below.

The aforesaid payment will be subject to any order passed in maintenance or matrimonial proceeding.

Accordingly, the order dated 29.11.2022 passed in Cr. Misc. No 16556 of 2022 stands modified to the extent as indicated above.

(Sunil Kumar Panwar, J)

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