

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.58514 of 2023**

Arising Out of PS. Case No.-189 Year-2020 Thana- NALANDA COMPLAINT CASE  
District- Nalanda

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RAJ KUMAR SINGH SON OF BIRENDRA PRASAD SINGH R/O-  
FAZILLAPUR, P.S.-ISLAMPUR, DISTT.-NALANDA AT PRESENT WARD  
NO. 1, NEAR HANUMAN NAGAR, SC/ST HOSTEL, BHABUA, DISTT.-  
KAIMUR (BHABUA)

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR BIHAR
2. SMITA KUMARI DAUGHTER OF UMESH PRASAD VILLAGE-  
MUBARAKPUR, PS- ISLAMPUR, DIST- NALANDA

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Samir Kumar Sinha, Advocate

For the Opposite Party/s :Mr.Mritunjay Kumar Nirala, Addl Public Prosecutor

Mr. Bipin Kumar, Advocate

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH**  
**ORAL ORDER**

7      02-07-2024                      Heard learned counsel for the petitioner, the State  
and the opposite party no.2.

2. The petitioner, who is husband of opposite party  
no.2, apprehends arrest in a case registered for the offence  
punishable under Sections 323, 523, 498A/34 of the Indian  
Penal Code.

3. Mediator's report dated 29.4.2024 reveals that in  
spite of efforts, dispute between the parties could not be  
resolved through process of mediation. However, it is submitted  
by learned counsel for the petitioner submits that the petitioner  
offers and undertakes that he is ready to give maintenance  
amount of Rs. 3000/-per month, starting from this month to the  
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. 3000/- per month, in the event of arrest/surrender within a period of six weeks from today, 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 the Additional Chief Judicial Magistrate Hilsa, Nalanda in connection with Complaint Case No. 189C, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure 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 saving bank account number for its communication to the petitioner.

(ii) Petitioner would deposit the aforesaid maintenance amount per month in the saving bank account of the opposite party 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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