

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78596 of 2024

In
CRIMINAL MISCELLANEOUS No.54184 of 2023

Arising Out of PS. Case No.-722 Year-2022 Thana- NAWADAH COMPLAINT CASE
District- Nawada

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Akhilesh Kumar, S/o Suraj Mahto, R/o Village- Lengura, P.S.- Rajauli,
District- Nawada.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Kumari Nitu Sinha, Wife of Akhilesh Kumar, R/o Village Lengura, P.S. -
Rajauli, District Nawada, at present- D/o Suresh Mahto, R/o Vill-
Dhanawan, P.S.- Sitamarhi, Distt.- Nawada.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar Verma, Advocate
For the Opposite Party/s : Mr. Rabindra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

4 20-12-2024 Heard Mr. Pramod Kumar Verma, learned counsel

appearing on behalf of the petitioner and Mr. Rabindra Kumar,

learned APP for the State.

2. The present modification application has been filed
for modification of order dated 13.12.2023 passed in Cr. Misc.
No.54184 of 2023 by which the petitioner was granted
provisional bail with certain condition, as stated in para nos. 7
and 8 of the aforesaid order but the petitioner could not comply
with the condition, as stated in para nos. 7 and 8 in the order
dated 13.12.2023.

3. It has been jointly informed by the learned counsels



appearing on behalf of the parties that the petitioner and the Opposite Party No.2, who are husband and wife, are willing to live together to lead a happy matrimonial life.

4. Considering the aforesaid information, the petitioner, above named, is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the learned District Court within a period of four 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 learned Sub-Divisional Judicial Magistrate, Nawada in connection with Complaint Case No. 722 of 2022 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

5. It is made clear that this Court, being *parens patrie*, directs the petitioner to take care of his nine years old son and for the same, the petitioner is directed to deposit Rs.10,000/- each month into the account of the mother (Opposite Party No.2) of child. The petitioner is further directed to get his son admitted in one of the best schools, either in the State of Bihar or in the State of Maharashtra, where, as per the learned counsel for the petitioner, the petitioner works in a cotton mill, however, the parties have not been able to give address details of the petitioner.



6. Learned District Court is directed to call upon the petitioner, so that, this order can be carried out.

7. Accordingly, the present pre-arrest bail application stands disposed of.

(Purnendu Singh, J.)

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