

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58669 of 2023

Arising Out of PS. Case No.-199 Year-2022 Thana- KOPA District- Saran

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Banti Chaudhary Son Of Banarasi Chaudhary @ Dinesh Chaudhary R/O Vill
- Pojhiya, P.S. - Kopa, Distt. - Saran, Presently Residing At 32/2, Gorish
Ghosh Road, P.S. - Belur In The Distt Of Howrah (West Bengal)

... .. Petitioner

Versus

1. The State Of Bihar
2. Muni Devi Wife Of Banti Chaudhary, D/O Yogendra Singh R/O Vill -
Dhupnagar Dhobwal, P.S. - Khaira, Distt. - Saran

... .. Opposite Parties

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Appearance :

For the Petitioner/s :	Mr. Deepak Kumar, Advocate
For the Opposite Party/s :	Ms/Mrs. Dr. Indiar Kumari, Addl Pub. Prosecutor
	Mr. J. Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

6 25-06-2024 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 498(A)/406/420/120(B)/34 of the
Indian Penal Code.

3. Mediator's report dated 21.6.2024 reveals that in
spite of efforts, dispute between the parties could not be
resolved through process of mediation. However, 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 Judicial Magistrate 1st Class, Chapra, in connection with P.S. Case No. 199/2022. 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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