

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61281 of 2023

Arising Out of PS. Case No.-93 Year-2021 Thana- BHABHU(KAIMUR) COMPLAIN C
District- Kaimur (Bhabua)

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1. Chandan Kumar Son Of Markandey Bind Village- Kishanpura, Ps- Dhanapur, Dist- Chandauli (U.P.)
 2. Markandey Bind Son Of Haridwar Bind Village- Kishanpura, Ps- Dhanapur, Dist- Chandauli (U.P.)

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Anita Devi Wife Of Chandan Kumar, D/O Birbal Bind Village- Kishanpura, Post- Amara, Ps Dhanapur, Dist- Chandauli, (up). At Present Address Village- Tenua, Post- Darwan, Ps- Ramgarh, Dist- Kaimur At Bhabua

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Rajani Kant Pandey, Advocate
For the Opposite Party/s :	Sharda Kumari, Addl Public Prosecutor
	Mr. PK Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 18-04-2024 Petitioner no.2 has already been allowed pre-arrest bail vide order dated 16.10.2023. Heard learned counsel for the petitioner no.1, the State and the opposite party no.2.

2. Petitioner no.1, who is husband of opposite party no.2, apprehends arrest in a case registered for the offence punishable under Sections 498A/34 of the Indian Penal Code.

3. Mediator's report dated 7.2.2024 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 no. 1 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 Chief Judicial Magistrate, Kaimur at Bhabua in Complaint Case No. 93 of 2021/Reg. No. 1814/2022, 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 no.1.

(ii) Petitioner no.1 would deposit the aforesaid maintenance amount per month in the saving bank account of the opposite party no.2.

(iii) In case, the petitioner no.1 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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