

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66427 of 2023

Arising Out of PS. Case No.-126 Year-2021 Thana- MADHEPURA COMPALINT CASE
District- Madhepura

Chhotu Kumar Sharma S/O Ram Chandra Sharma R/O Village- Sahuriya,
P.S- Jankinagar, Distt- Purnea.

... .. Petitioner

Versus

1. The State Of Bihar Bihar
2. Rakhi Kumari W/O Chhotu Kumar Sharma, D/O Dinesh Sharma R/O Village- Sahuriya, Ward No. 06, Post Office- Sahuriya, P.S- Jankinagar, Distt.- Purnea. At Presently Resident Of Village- Parwa, Ward No. 03, P.O- Parwa, Navtola, P.S- Murliganj, Distt.- Madhepura, Mob No. 9430029106.

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr.Uday Chand Prasad, Advocate
For the Opposite Party	:	Mr. Pramod Kumar Pandey, APP
		Mr. DP Verma, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 18-04-2024 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 323,341/498A of the Indian Penal Code and Sections 3 & 4 of the Dowry Prohibition Act.

3. Mediator's report dated 10.4.2024 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 Sub Divisional Judicial Magistrate, Madhepura in Complaint Case No. 126/2021, 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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