

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68766 of 2024

Arising Out of PS. Case No.-349 Year-2024 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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Rakesh Kumar @ Dhamu S/o Rajeshwar Thakur Resident of village-
Garbhuwa Thakur Patti (Thakurai Tola), PS- Sirisiya OP, District- West
Champaran

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Chandani Kumari W/o Rakesh Kumar @ Dhamu, D/o Jitendra Kumar Singh
R/o vill - Laukariya, P.O. - Siswa Bazar, P.S. - Harsidhi, Distt. - East
Champaran

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Mr. Karandeep Kumar, Adv.
For the Opposite Party/s :	Mr. Kanhiya Kishor, APP
	Mr. Prateek Tandon, Adv.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 23-10-2024 Heard learned counsel for the petitioner, learned

A.P.P. for the State and learned counsel for the opposite party

No. 2.

2. The petitioner apprehends his arrest in connection with

Complaint Case No. 349 (C) of 2024 (Tr. No. 2215 of 2024)

registered under Section 498A of the Indian Penal Code.

3. Learned counsel appearing on behalf of the petitioner

submits that the petitioner is the husband of the Opposite party

no. 2. The petitioner offers and undertakes that he is ready to

give maintenance amount of Rs. 5,000/- per month, starting

from this month, to opposite party no. 2.



4. Learned counsel for the opposite party No. 2 does not dispute the aforesaid contention.

5. In view of the undertaking of learned counsel for the petitioner that petitioner is ready to give maintenance amount of Rs. 5,000/- (five thousand) per month to the opposite party no. 2, in the event of arrest or surrender before the learned court below within a period of eight weeks from today, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount to the satisfaction of learned Chief Judicial Magistrate, Motihari, East Champaran in connection with Complaint Case No. 349 (C) of 2024 (Tr. No. 2215 of 2024), subject to the conditions as laid down under Section 438(2) of the Cr.P.C 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 savings bank account number for its communication to the petitioner.

(ii) Petitioner would deposit the aforesaid maintenance amount per month in the savings bank account of the O.P. 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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