

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74853 of 2023

Arising Out of PS. Case No.-776 Year-2022 Thana- WEST CHAMPARAN COMPLAINT
District- West Champaran

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PRADEEP BAITHA S/O INAR BAITHA R/O VILLAGE- LANGRA
DIULIYA, P.S- SIKARPUR, DISTT.- WEST CHAMPARAN.

... .. Petitioner/s

Versus

1. The State of Bihar BIHAR
2. DURGAWTI KUMARI W/O PRADEEP BAITHA R/O LANGRA
DIULIYA, P.S- SIKARPUR, DISTT.- WEST CHAMPARAN. AT
PRESENT ADD.- DURGAWATI DEVI, D/O NAMI BAITHA, R/O
BISUNPURWA, P.S- BATHWRIYA, DISTT.- WEST CHAMPARAN.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Mr.Prerna Anand, Advocate
For the Opposite Party/s :	Mr.Nand Kumar, A.P.P.
	Mr Arvind Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 03-10-2024 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/34 of the Indian
Penal Code.

3. Mediator's report dated 24.9.2024 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, Bagaha, West Champaran in Complaint Case No. 776/2022, 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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