

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72932 of 2023

Arising Out of PS. Case No.-698 Year-2022 Thana- GAYA COMPLAINT CASE District-
Gaya

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Rajesh Kumar Son Of Karu Yadav Resident Of Village - Meyari, Police
Station - Fatehpur, District - Gaya

... .. Petitioner/S

Versus

1. The State Of Bihar
2. Kamla Kumari Wife Of Rajesh Kumar, Daughter Of Govardhan Yadav
Resident Of Village - Meyari, Police Station - Fatehpur And District - Gaya
(Bihar). At Presently Residing At Village - Devdika (Bhawari Kala), P.O. -
Hematpur, Police Station - Fatehpur, District - Gaya (Bihar)

... .. Opposite Party/S

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Appearance :

For the Petitioner/s : Mr. Aryan Singh, Advocate
For the Opposite Party/s : Mr. Nitya Nand Tiwary, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 02-07-2024 Heard learned counsel for the parties.

2. The petitioner who is husband of opposite party
No. 2 apprehends arrest in a case registered for the offences
punishable under Sections 323, 324, 498A, 504 and 506 of the
Indian Penal Code .

3. Earlier, the matter was referred to the Mediation
Center to resolve the dispute between the parties but from the
Mediator's Report dated 20.05.2024 it appears that the
mediation between the parties has failed.

4. Learned counsel for the petitioner submits that the
petitioner offers and undertakes that he is ready to give



maintenance amount of Rs. 5000/- per month, starting from this month, to opposite party No. 2.

5. In view of the undertaking of learned counsel for the petitioner that petitioner is ready to give maintenance amount of Rs. 5000/- (five thousand) per month to the opposite party No. 2, in the event of arrest/surrender within a period of six weeks from today, let the 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 learned Additional Chief Judicial Magistrate – VIII , Gaya in connection with Complaint Case No. 698 of 2022 , subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure as well as on the following conditions:-

‘(1) 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.

(2) Petitioner would deposit the aforesaid maintenance amount per month in the savings bank account of the opposite party No. 2.

(3) 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.

(4) 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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