

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72922 of 2023

Arising Out of PS. Case No.-760 Year-2012 Thana- COMPLAINT CASE District- Banka

KANHAY SHARMA SON OF SURESH SHARMA R/O VILLAGE-
DHAIHARNA (HARNA BUJURG), P.S.- RAJOUN, DISTRICT- BANKA
... .. Petitioner

Versus

1. The State of Bihar
2. ANITA DEVI W/O KANHAY SHARMA, D/O JICHHO SHARMA R/O
VILLAGE- RANGAON BUJURG, P.S.- DHORAIYA, DISTRICT-
BANKA
... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chandrasekhar Sharma, Advocate
For the Opposite Party/s : Mr.Bishweshwar Ram, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 25-07-2024 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 Section 498A of the Indian Penal Code and
Section 4 of the Dowry Prohibition Act.

3. 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, Banka in



Complaint Case No. 760 of 2012, 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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