

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74826 of 2023

Arising Out of PS. Case No.-1389 Year-2022 Thana- BHABHU(KAIMUR) COMPLAIN C
District- Kaimur (Bhabua)

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Chandrashekhar Kumar @ Chandrashekhar Kumar Yadav S/O Munni Yadav
@ Munni Singh R/O Village- Dihan, P.O- Badhauna, P.S- Chainpur, Distt.-
Kaimur (BHABHUA).

... .. Petitioner

Versus

1. The State Of Bihar
2. Jyoti Kumari W/O Chandrashekhar Kumar Yadav @ Chandrashekhar Kumar, D/O Mahendra Singh Yadav R/O Village- Dihan, P.O- Badhaura, P.S- Chainpur, Distt.- Kaimur. At Present Resident Of Village- Alipur, P.S- Chand, Distt.- Kaimur(Bhabua).

... .. Opposite Party

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Appearance :

For the Petitioner/s :	Mr.Majid Mahboob Khan, Advocate
For the Opposite Party/s :	Mr.Bishweshwar Ram, Addl Public Prosecutor Mr. RK Pandey, Advocate

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 09-04-2024 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 498A, 323,494 of the Indian Penal Code.

3. Mediator's report dated 1.4.2024 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 Additional Chief Judicial Magistrate III, Kaimur at Bhabua in Complaint Case No. 1389 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:-

(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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