

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73379 of 2023

Arising Out of PS. Case No.-429 Year-2022 Thana- SAMASTIPUR COMPLAINT CASE
District- Samastipur

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RAHUL SUMAN S/O LATE NAGESHWAR PRASAD YADAV R/O
VILLAGE AND P.O.- SOHMA, PS. BITHAN, DISTT. SAMASTIPUR, PIN-
848207

... .. Petitioner/s

Versus

1. The State of Bihar
2. STUTI KUMARI @ ASTUTI KUMARI W/O RAHUL SUMAN R/O
VILLAGE AND P.O.- SOHMA, PS. BITHAN, DISTT. SAMASTIPUR,
PIN-848207 PRESENTLY RESIDING AS D/O BHIKHARANJAN
YADAV, VILLAGE AND P.O.- PUSAHO, PS. BITHAN, DIST.
SAMASTIPUR PIN-848207

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Sudhanshu Kumar , Advocate
For the Opposite Party/s	:	Mr. Sangeeta Sharma, APP
For OP 2	:	Gajendra Kumar Singh, Advocate
		Avinash Kumar Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

- 4 02-07-2024 1 . 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 , 379, 406, 498 (A) and 34 of the
Indian Penal Code and 3/ 4 of the D. P Act.
- 3 . 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 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 learned Sub-Divisional Judicial Magistrate , Rosera , Samastipur in connection with Complaint Case No. 429 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 saving bank account number for its communication to the petitioner.

(2) Petitioner would deposit the aforesaid maintenance amount per month in the saving 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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