

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73635 of 2023

Arising Out of PS. Case No.-219 Year-2023 Thana- BARAUNI District- Begusarai

NAND KISHORE KUMAR @ NAND KISHOR KUMAR @ NAND KISHOR S/O- RAMBALI CHOUDHARY @ RAMBALI CHAUDHARY R/O- VILLAGE- BALURA, NINGA TOLA, (NIGA TOLA), P.S.- BARAUNI, DIST.- BEGUSARAI

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR, PATNA
2. KHUSBOO KUMARI W/O- NAND KISHORE KUMAR @ NAND KISHOR KUMAR @ NAND KISHOR AT PRESENT R/O- VILLAGE- TEGHRA, P.S.- TEGHRA, DIST.- BEGUSARAI

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sandip Kumar Gautam , Advocate
For the Opposite Party/s : Mr. Pramod Kumar Pandey, APP

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 341 ,323, 498A, 504, 506 and 34 of the Indian Penal Code and Section 3/4 of D.P. Act.

3. Earlier, the matter was referred to the Mediation Center to resolve the dispute between the parties but from the Mediator's Report dated 16.05.2024 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 Chief Judicial Magistrate , Begusarai in connection with Barauni P S Case No. 219 of 2023 , 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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