

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74380 of 2023

Arising Out of PS. Case No.-91 Year-2021 Thana- MAHILA PS District- Darbhanga

GAUTAM KUMAR @ GAUTAM son of Ram Vilash Ram Village-
Bakhtiyarpur Tola Garaut Ps- Chakmehsi Dist- Samastipur

... .. Petitioner/s

Versus

1. The State of Bihar
2. JYOTI KUMARI D/o- Rajendra Ram Village- Sonki Ps- Bahadurpur Sonki
OP Dist- Darbhanga

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kedar Jha, Advocate

For the Opposite Party/s : Mr. Madan Kumar , APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 30-04-2024 Heard learned counsel for the parties.

2. Earlier, the matter was referred to the Mediation Center to resolve the dispute between the parties, but from perusal of Mediator's Report dated 07.03.2024 , it appears that the mediation between the parties has failed.

3 . The petitioner who is husband of opposite party no. 2 apprehends arrest in a case registered for the offence punishable under Sections 498 (A) , 323 , 504, 379 and 34 of the Indian Penal Code and 3/ 4 of the D. P Act.

4. 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.

5 . 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 Judicial Magistrate 1st Class, Darbhanga District - Darbhanga in connection with Mahila P S Case No. 91 of 2021 , 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)

Koushik/-

U		T	
---	--	---	--

