

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79154 of 2023

Arising Out of PS. Case No.-1628 Year-2020 Thana- COMPLAINT CASE District- Araria

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KANHAIYA KUMAR MAHTO son of Binod Mahto R/o- Sarnarhi Tola
W.No-10, Kala Balua Ps- Raniganj Dist- Araria

... .. Petitioner/s

Versus

1. The State of Bihar
2. Anju Kumari D/o- Pradip Paswan R/o- Hiranagar W.No-12, Kala Balua Ps-
Raniganj Dist- Araria

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Md Fazle Karim
For the Opposite Party/s : Mr.Dr. Kumar Uday Pratap

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 19-03-2024 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 494/498A/34 of the Indian Penal
Code.

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 Judicial Magistrate 1st class Araria in Complaint Case No. 1628(C) of 2020, 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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