

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76609 of 2023

Arising Out of PS. Case No.-418 Year-2022 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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Rambalak Sah Son Of Dinesh Sah Resident Of Village - Narkatiya, P.S. -
Darpa, District - East Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Usha Devi Wife Of Rambalak Sah Resident Of Village - Bishunpurawa, P.S.
- Darpa, District - East Champaran

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Patanjali Rishi, Adv.
For the State	:	Mr. Upendra Kumar, APP
For the O.P. 2	:	Mr. Rajesh Kumar, Adv. Mr. Dhiraj Kumar, Adv.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 09-04-2024 Heard learned counsel for the petitioner, learned counsel
for the State and learned counsel for the opposite party no. 2.

2. The petitioner apprehends his arrest in connection with
Tr. No. 1293 of 2023 arising out of Complaint Case No. 418 of
2022 registered under Section 498A of the Indian Penal Code.

3. Learned counsel appearing on behalf of the petitioner
submits that the petitioner is the husband of the Opposite party
no. 2. The petitioner offers and undertakes that he is ready to
give maintenance amount of Rs.3,000/- 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.3,000/- (three thousand) per month to the opposite party no. 2, in the event of arrest or surrender before the learned court below within a period of four weeks from today, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Judicial Magistrate-I, Raxaul, East Champaran in connection with Tr. No. 1293 of 2023 arising out of Complaint Case No. 418 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C 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 savings bank account number for its communication to the petitioner.

(ii) Petitioner would deposit the aforesaid maintenance amount per month in the savings bank account of the O.P. 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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