

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79426 of 2023

Arising Out of PS. Case No.-1445 Year-2022 Thana- NAWADAH COMPLAINT CASE
District- Nawada

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PHANTUSH KUMAR S/O LATE RAVINDRA PRASAD VILLAGE-
MOKAMA, PS. MOKAMA, DIST. PATNA AT PRESENT RESIDING AT
R/O MOHALLA-GEWALBIGHA, PS. RAMPUR, DIST. GAYA

... .. Petitioner/s

Versus

1. The State of Bihar BIHAR
2. RINA KUMARI W/O PHANTUSH KUMAR MOHALLA- SMIRTAKIYA,
DURGA ASTHAN, PS. RAMPUR, DIST. GAYA AT PRESENT RESIDING
AT R/O VILLAGE- PARAMCHAK, PS. RAJOULI, DIST. NAWADA

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Gajendra Kumar Singh, Advocate
For the Opposite Party/s	:	Asha Devi , APP
For OP 2	:	Shivendra Prasad , Advocate

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 09-04-2024

1 . 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 offence
punishable under Sections 498 (A) and 323 of the Indian
Penal Code.

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 Chief Judicial Magistrate , Nawada in connection with Complaint Case no. 1445 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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