

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.397 of 2024

Arising Out of PS. Case No.-1599 Year-2022 Thana- MUZZFARPUR COMPLAINT CASE
District- Muzaffarpur

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Vivek Singh son of Ramvinay Singh Resident of village- Gariba Gola, p.s.-
kalyanpur, district- East Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. BANDNA KUMARI W/O VIVEK SINGH RESIDENT OF VILLAGE-
GARIBA GOLA, POLICE STATION- KALYANPUR, DISTRICT- EAST
CHAMPARAN, AT PRESENT, DAUGHTER OF MITHILESH DEVI,
RESIDENT OF VILLAGE- BANGRA NIJAMAT, P.S. SAHEBGANJ,
DISTRICT- MUZAFFARPUR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Purusottam Kumar , Advocate
For the Opposite Party/s	:	Mr. Atul Chandra, APP
For OP 2	:	Samrendra Kumar Jha, Advocate
		Saurabh Kumar , APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 01-07-2024 Earlier, vide order dated 29.04.2024 , the matter

was referred to Mediation Centre of Patna High Court, but the

dispute between the parties could not be resolved through the

process of mediation and as such, mediation failed (Report at

flag 'B').

2. Heard learned counsel for the petitioner, the State

and the opposite party no.2.

3 . The petitioner who is husband of opposite party no.

2 apprehends arrest in a case registered for the offence

punishable under Sections 323 , 341 and 498 (A) of the Indian



Penal Code and 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 SDJM (West), Muzaffarpur in connection with Complaint Case No. 1599 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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