

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5667 of 2024

Arising Out of PS. Case No.-434 Year-2022 Thana- SAMASTIPUR COMPLAINT CASE
District- Samastipur

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Raj Kumar Raut S/O Baleshwar Raut (WRONGLY MENTIONED IN COMPLAINT PETITION 30 YEAR IN THE YEAR 2022) VILLAGE-MURAUTPUR, WARD NO. 4, PS.DESHRI, DIST. VAISHALI.

... .. Petitioner/s

Versus

1. The State of Bihar
2. PRITI KUMARI W/O RAJ KUMAR RAUT RESIDENT OF MURAUTPUR, WARD NO. 4, PS. DESHRI, DIST. VAISHALI. AT PRESENT D/O RAMBALAK PAL, R/O VILLAGE- GOPALPUR, PS. KALYANPUR, DIST. SAMASTIPUR.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Md Obaidullah, Advocate
For the Opposite Party/s	:	Mr. Sanjay Kumar Sharma, APP
For OP 2	:	Bijay Bhushan Prasad , Advocate
		Swati Kumari , Advocate
		Rani Shashi Bharti , Advocate

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 29-04-2024 At the outset, learned counsel for the petitioner seeks permission to make amendment in the prayer portion .

2. Permission is accorded.

3 . Heard learned counsel for the petitioner, the State and the opposite party no.2.

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

5 . 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.

6. 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 Sub Divisional Judicial Magistrate , Samastipur in connection with Cr. Case No. 434 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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