

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3867 of 2024

Arising Out of PS. Case No.-564 Year-2023 Thana- MADHEPURA District- Madhepura

Mithun Gupta @Mithun Kumar Son of Chamak Lal Gupta Resident Of Village -Biraily Bazar Ward No 6 Ps -Madhepura (Bharrahi), Dist- Madhepura

... .. Petitioner/s

Versus

1. The State of Bihar
2. Juli Kumar Wife of Mithun Gupta @ Mithun Kumar Resident Of Village- Barhmottar, Ps- Madhepura,(Bharrahi), Distt- Madhepura

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Shashi Dhar Jha, Adv.
For the State	:	Mr. Surendra Kumar, APP
For the O.P. -2	:	Mr. Bam Bahadur Jha, Adv.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 18-04-2024 Heard both sides.

2. The petitioner apprehends his arrest in connection with Madhepura (Bharrahi O.P.) P.S. Case No. 564 of 2023 registered under Sections 341, 323, 385, 379, 120(B), 498(A), 504, 506/34 of the Indian Penal Code and Section $\frac{3}{4}$ of the Dowry Prohibition Act.

3. Earlier, the matter was referred to the Mediation Center to resolve the dispute between the parties but from the Mediator's Report dated 10.04.2024 it appears that the mediation between the parties has failed.

4. Learned counsel appearing on behalf of the petitioner submits that 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 Chief Judicial Magistrate, Madhepura in connection with Madhepura (Bharrahi O.P.) P.S. Case No. 564 of 2023, 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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