

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13200 of 2024

Arising Out of PS. Case No.-5675 Year-2022 Thana- PATNA COMPLAINT CASE District-
Patna

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Pankaj Kumar S/o Pradeep Paswan R/o Village- Amiya Bigha,
Gurusharanpur, P.S.- Ben, District- Nalanda

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Smriti Kumar @ Khushabu Kumari W/o Pankaj Kumar, D/o Late Shravan
Paswan R/o Mohalla- Chauharmal Nagar, P.S.- Phulwari, District- Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Raj Kishor Prasad, Advocate

For the Opposite Party/s : Mr.Dashrath Mehta, A.P.P.

Mr. Kritu Verma, Advocate

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 08-01-2025 Heard learned counsel for the petitioner, the State and
the opposite party no.2.

2. The petitioner, who is husband of opposite party
no.2, apprehends arrest in a case registered for the offence
punishable under Sections 323, 341, 498A, 494 of the Indian
Penal Code and Sections 3 & 4 of the Dowry Prohibition Act.

3. Mediator's report dated 27.9.2024 reveals that in
spite of efforts, dispute between the parties could not be
resolved through process of mediation. However, it is submitted
by 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 the
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 Sub Divisional Judicial Magistrate, Patna in Complaint Case No. 567C/2022 , subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure 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 saving bank account number for its communication to the petitioner.
- (ii) Petitioner would deposit the aforesaid maintenance amount per month in the saving bank account of the opposite party 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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