

Arising Out of PS. Case No.-105 Year-2023 Thana- LADANIA District- Madhubani

INDAL PASWAN @ INDAL KUMAR PASWAN SON OF VIJAY PASWAN
RESIDENT OF VILLAGE - PAGHRAHI GADHA, P.S. - LADANIYA,
DISTRICT - MADHUBANI

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. SARASWATI DEVI WIFE OF INDAL PASWAN RESIDENT OF VILLAGE - PAGHRAHI GADHA, P.S. - LADANIYA, DISTRICT - MADHUBANI

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Bharti , Advocate
For the Opposite Party/s : Mr. Satyendra Prasad , APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

6 15-01-2025 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 offences punishable under Sections 341 , 323, 498A, 504, 506 and 34 of the Indian Penal Code and 3/ 4 of the D. P 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 20.12.2024 it appears that the mediation between the parties failed.

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/- (three thousand) per month to the opposite party No. 2, in the event of arrest/surrender within a period of six weeks from today, let the 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 Additional Chief Judicial Magistrate III , District- Madhubani in connection with Ladaniya P S Case No. 105 of 2023 , 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 savings bank account number for its communication to the petitioner.

(2) Petitioner would deposit the aforesaid maintenance amount per month in the savings 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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