

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53151 of 2024

Arising Out of PS. Case No.-545 Year-2021 Thana- MUNGER COMPLAINT CASE
District- Munger

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MANISH KUMAR SAH @ MUNNU KUMAR SAH SON OF LATE
MAHENDRA PRASAD SAH VILLAGE- GORHI GHAT (GANDHI
NAGAR), PS- GODDA, DIST- GODDA JHARKHAND

... .. Petitioner/s

Versus

- 1 . The State of Bihar
2. NISHA KUMARI WIFE OF MANISH KUMAR SAH @ MUNNA
KUMAR SAH VILLAGE- ASARGANJ, PS- ASARGANJ, DIST-
MUNGER

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Arvind Prasad Singh, Advocate Mr. Uttam Kumar Mishra, Advocate
For the Opposite Party/s :		Mr. Shyam Bihari Singh, APP
For OP No. 2	:	Mr. Jyoti Ranjan Jha, Advocate

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 09-01-2025 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 Section 498A 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 07.01.2025 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 learned SDJM Munger in connection with Complaint Case No. 545 (C) of 2021 , 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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