

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9041 of 2020

Arising Out of PS. Case No.-61 Year-2018 Thana- MAHILA P.S. District- Bhagalpur

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BIPIN RANJAN @ RISHI KUMAR @ IMRESH CHANDRA BHARTI S/o
Jaidrath Mandal Resident of Village- Kowakoli, P.S.- Madhusudanpur, Distt-
Bhagalpur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sarita Devi W/o Bipin Ranjan @ Rishi Kumar @ Imresh Chandra Bharti
D/o Karulal Mandal Resident of Village- Fulkia, P.S.- Ismilapur (Gopalpur),
Distt- Bhagalpur

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pravin Kumar Sinha
For the Opposite Party/s : Mr.Ramesh Chandra

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 03-03-2020 Heard the learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Mahila P.S. Case No. 61 of 2018 for the offence
registered under Sections 498(A), 494/34 of the Indian Penal
Code and Sections 3 & 4 of the Dowry Prohibition Act.

The allegation is regarding the petitioner having
engaged in cruelty with the opposite party no. 2 resulting in the
opposite party no. 2 taking shelter in her parental house.

At the outset, the learned counsel for the petitioner
has submitted that re-conciliation is not possible and the
petitioner has already filed a divorce case, however, the
petitioner is ready to pay a sum of Rs. 5,000/- per month by way



of maintenance to the opposite party no. 2 for the purposes of seeking the privilege of anticipatory bail.

The learned counsel for the opposite party no. 2 has though opposed the prayer for bail of the petitioner herein, however, he submits that in case the petitioner is ready and willing to pay a sum of Rs. 5,000/- per month as maintenance to the opposite party no. 2, the petitioner be directed to make regular payment of the same and in case of default it be directed that the present privilege of anticipatory bail being sought to be extended shall stand cancelled automatically.

Having regard to the facts and circumstances of the case and considering the submissions of the learned counsel for the parties, I deem it fit and appropriate to direct the petitioner to pay a sum of Rs. 5,000/- per month by way of maintenance, till the time any order is passed by the learned court below either in the matrimonial case or the maintenance case. It is further directed that the petitioner would approach the learned court below within a period of four weeks from today and submit an undertaking regarding payment of a sum of Rs. 5,000/- per month regularly by way of maintenance to the opposite party no. 2 as also produce a draft of Rs. 5,000/- to be paid to the opposite party no. 2, whereupon the learned court below shall grant



anticipatory bail to the petitioner upon such terms as may be deemed fit and proper by the learned court of S.D.J.M., Bhagalpur in connection with Mahila P.S. Case No. 61 of 2018.

The petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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