

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.2609 of 2020**

Arising Out of PS. Case No.-718 Year-2019 Thana- MADHAURAH District- Saran

Akash Manjhi @ Aakash Kumar Manjhi, Son Of Shiv Mangal Manjhi  
Resident Of Village - Kewani, P.S.- Garkha, Distt - Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                          |   |                                                     |
|--------------------------|---|-----------------------------------------------------|
| For the Petitioner/s     | : | Mr. Gaurav Kumar- Advocate<br>Ms. Sanjana- Advocate |
| For the Informant        | : | Mr. Raushan- Advocate<br>Mr. Abhay Kumar- Advocate  |
| For the Opposite Party/s | : | Mr. Pronoti Singh- A.P.P.                           |

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

3      03-11-2021                      Heard the learned Advocate for the petitioner and  
learned APP for the State.

The petitioner seeks bail in anticipation of his arrest in connection with Marhowrah (Gaura O.P.) P. S. Case No.718 of 2019, instituted for the offences under Sections 341, 323, 498(A)/ 34 of the Indian Penal Code and Section 3/4 of the D.P. Act.

Learned counsel for the informant, at the outset, submits that the petitioner has married for the second time during the pendency of the present anticipatory bail application. As such, the informant is not willing to accompany the petitioner to her matrimonial home.



The learned counsel for the petitioner fairly submits that he has instruction that petitioner during the pendency of the anticipatory bail application has performed second marriage, but that marriage is void, since the present informant is his first wife.

The learned counsel for the informant on instruction submits that he will not oppose the anticipatory bail application of the petitioner provided the petitioner is willing to maintain the informant till the issue is resolved amicably either through settlement or by process of law.

The learned counsel for the petitioner also on instruction submits that till the issue is not resolved he is willing to pay a monthly maintenance of Rs.7,000/- (Seven thousand) to the informant.

Considering the submission of the parties, this Court directs the petitioner to appear in the Court below on 22.11.2021, on which date, the learned Court below shall release the petitioner on provisional bail for a period of two months and simultaneously, will issue notice to the present informant and on her appearance, the informant shall furnish her bank account in which the petitioner as agreed will start paying the monthly maintenance of Rs.7,000/- from the month of November, 2021,



till the issue is not resolved either amicably or through the process of Court. Once, the petitioner as agreed will pay the monthly maintenance to the informant by 25<sup>th</sup> November, the provisional bail shall be confirmed. Further, the petitioner shall continue paying the monthly maintenance by 25<sup>th</sup> of every month and not later by 30<sup>th</sup> of each month.

It is further directed that in the event the petitioner stops paying the monthly maintenance to the informant, in that event, the informant shall bring the same to the notice of the learned Court below and learned Court below will issue notice to the petitioner and on being satisfied that the petitioner has breached the undertaking before this Court, will be at liberty to cancel his bail bonds.

With the aforesaid observation/ direction, this application stands disposed off.

**(Satyavrat Verma, J)**

vikash/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

