

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3614 of 2022

Arising Out of PS. Case No.-2081 Year-2018 Thana- GOPALGANJ COMPLAINT CASE
District- Gopalganj

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Hareram Yadav @ Hareram Kumar Yadav S/o Ashok Yadav R/o village-
Badkagaon, Tiwari Tola, P.S.- Gopalganj, District- Gopalganj

... .. Petitioner

Versus

1. The State of Bihar
2. Mamta Devi W/o Hareram Yadav, D/o Puja Yadav R/o village- Badkagaon,
Tiwari Tola, P.S.- Gopalganj, District- Gopalganj, at present residing at
Village- Goddha, P.O.- Madhopur, District- Kushinagar (Uttar Pradesh)

... .. Opposite Party/s

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Appearance :

For the Petitioner : Mr. Rajesh Ranjan, Advocate.
For the Opposite Party/s : Mrs. Pushpa Sinha.1, APP.

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

5 11-04-2022 Heard learned counsel for the parties.

Learned counsel for the petitioner is permitted to
remove defect(s), as pointed out by the office, if any, within a
period of four weeks from today.

The petitioner seeks anticipatory bail in connection
with Trial No. 1702/2019 arising out of Complaint case No.
2081 of 2021, registered for the offence under Section 498(A) of
the Indian Penal Code.

At the very outset learned counsel for the petitioner
submits that he is ready to give Rs. 5,000/- per month
maintenance to the wife.

Considering the fact that there are allegations and



counter allegations from both the parties and also considering the law laid down by the Apex Court in the case of **Arunesh Kumar vs. State of Bihar** reported in **(2014) 8 SCC 273**, his application is allowed.

Let the petitioner, above named, in the event of his arrest/surrender within four weeks from today in the court below, be released 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 Additional Chief Judicial Magistrate-XVI Gopalganj in connection with Trial No. 1702/2019 arising out of Complaint case No. 2081 of 2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

The petitioner shall pay the maintenance amount by 10th of every month. If the petitioner defaults in making payment of maintenance on two consecutive months, the bail bond of the petitioner shall be automatically cancelled. The opposite party no. 2 shall provide her bank account details to the learned counsel for the petitioner immediately so that the amount is transferred by the petitioner.

The opposite party no. 2 shall be cooperative in disposal of the complaint case, if there is no substantial progress in the



trial of the case then, the petitioner is given liberty to move this
Court for modification/recall of the maintenance amount.

(Sandeep Kumar, J)

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