

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7738 of 2022

Arising Out of PS. Case No.-231 Year-2021 Thana- KALYANPUR District- East Champaran

GAUTAM KUMAR son of Bindeshwar Sah @ Vindeshwar Sah R/o of Village - Brindawan Tola, Parsauni, P.S. - Kalyanpur, District - East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Mukesh Sah Son of Late Ramadhar Sah R/o Village - Vishunpur Dhir, P.S. - Kalyanpur, District - East Champaran.

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Madhurendra Kumar, Advocate
For the Opposite Party/s :	Ms. Pushpa Sinha, APP
	Mr. Abhishek Kumar, Advocate
	Mr. Sharad Kumar Verma, Advocate

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

7 11-10-2022 Heard learned counsel for the petitioner, learned counsel for the informant and learned A.P.P. for the State.

In compliance of the order dated 19.09.2022, the petitioner and the informant are present in person in this Court.

Learned counsel for the petitioner, at the outset, submits that since the mediation has failed, as such it is not possible for the petitioner to keep the informant along with him as the dispute between the parties have multiplied. It is further submitted that the petitioner is willing to pay monthly maintenance of Rs. 4,000/- to the informant which will commence from the month of October, 2022 and the petitioner



will keep paying the monthly maintenance to the informant by 15th of every month commencing from November, 2022 till the maintenance case is not finally decided by the learned Principal Judge, Family Court, Motihari.

Learned counsel for the informant based on instruction submits that the informant accepts the offer given by the petitioner. It is further submitted that he will Whatsapp the account number of the informant to the learned counsel for the petitioner to which the learned counsel for the petitioner submits that he will immediately forward the account number to the petitioner and thereafter the payment shall commence.

Considering the submissions made by the learned counsel for the parties, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Kalyanpur P.S. Case No. 231 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

Further, in the event, if the petitioner does not make



payment for two consecutive months and an application on behalf of the informant is filed seeking cancellation of his bail bonds, the learned trial court shall forthwith cancel the bail bonds of the petitioner after giving him an opportunity of hearing.

(Satyavrat Verma, J)

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