

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32025 of 2021

Arising Out of PS. Case No.-88 Year-2019 Thana- ARER District- Madhubani

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1. BINOD KUMAR MISHRA Son of Khedru Mishra Resident of Village- Dahila, P.S.- Arer, District- Madhubani.
 2. Babita Devi Wife of Binod Kumar Mishra Resident of Village- Dahila, P.S.- Arer, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Malay Kumar Choudhary
For the Opposite Party/s : Mr.Anil Kumar Singh, APP.
Mr.Jyoti Prakash, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

11 07-11-2022 Heard learned counsel for the parties.

Learned counsel for the petitioner is directed to remove the defects within four weeks.

The petitioner apprehends his arrest in a case registered u/s 341, 323, 354(A), 420, 498(A), 494, 504, 506/34 of the IPC.

Petitioner, who is husband of the informant, in association of other family members is said to have tried to kill the informant by tying Sari with ceiling fan.

It is submitted by learned counsel for the petitioner that petitioner is an innocent person and has committed no offence. Petitioner has never tortured the informant and has been falsely implicated in the present case due to grudge. There is general



and omnibus allegation against the petitioner.

In that view of the matter, let the petitioner, named above, in the event of his arrest/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.25,000/- (Rupees Twenty 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 Arer P.S. Case No. 88 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

Petitioner is ready to pay Rs.5,000/- (Rupees Five Thousand) per month to opposite party no.2 in the first week of every month, for her maintenance, as per the bank account details furnished by her in the learned Court below.

It is made clear that if the petitioner fails to pay the aforesaid amount on two consecutive months, opposite party no.2 shall be at liberty to move before the learned Court below for cancellation of the bail bond of the petitioner.

Learned court below is directed to issue notice to O.P. No.2 directing her to furnish the bank account details.

It goes without saying that the aforesaid payment shall be subject to any order passed in matrimonial maintenance case or



any other collateral proceedings.

If so advised, either of the parties will be at liberty to make an application before the Court below for referring the matter to the District Mediation Centre for the purpose of reconciliation or one time settlement.

Accordingly, this application stands disposed of.

(Anjani Kumar Sharan, J)

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