

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28884 of 2022

Arising Out of PS. Case No.-39 Year-2021 Thana- MAHILA PS District- Aurangabad

SANJAY PRASAD GUPTA Son of Premchand Prasad Resident of Village - Pokhra Par, Shahpur, Ward No.-25, P.S. - Town, District - Aurangabad, (But in FIR it has wrongly written as Son of Manoj Prasad Gupta, resident of Village - Obra, P.S.- Obra, district- Aurangabad.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Madhu Devi wife of Sanjay Prasad Gupta Resident of Village - Pokhra Par, Shahpur, Ward No.-25, P.S. - Town, District - Aurangabad, (But in FIR it has wrongly written as resident of Village - Obra, P.S.- Obra, district- Aurangabad), Daughter of - Manoj Kumar @ Munna Saw, Resident of Village - Obra, Durga Rath, Sonari, P.S.- Obra, District - Aurangabad.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Ms. Rupa Kumari, Advocate
For the Opposite Party/s	:	Mr. Uma Shankar Prasad Singh, APP
For the Informant	:	Mr.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 16-11-2022 Heard learned counsel for the petitioner, learned counsel for the informant and learned A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 341, 494 and 498(A) of the Indian Penal Code.

Learned counsel for the petitioner at the outset submits that he has instructions to make submission that the petitioner is willing to pay an amount of Rs. 25,000/- per month to the informant which will commence from November, 2022.

Learned counsel for the informant, on instructions,



submits that he agrees to the offer given by the petitioner, through his counsel. Learned counsel for the informant further submits that he will WhatsApp the bank account number of the informant to the learned counsel for the petitioner. Learned counsel for the petitioner submits that thereafter he will WhatsApp the same to the petitioner so that the petitioner starts crediting the maintenance amount in the account of the informant. Learned counsel for the petitioner next submits that the petitioner will start paying the maintenance amount from the month of November, 2022 and thereafter in between 1st to 15th of every month commencing from December, 2022 shall keep paying the maintenance amount, as agreed, till a Court of competent jurisdiction does not fix the maintenance.

Considering the submissions made by the learned counsel for the petitioner, 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 Mahila P.S. Case No. 39 of 2021 subject to the conditions as laid down under



Section 438 (2) of the Cr.P.C.

However, in the event, if the informant files an application before the learned trial court bringing to its notice that the petitioner for two consecutive months has not paid the maintenance amount, as agreed before this Court, the learned trial court shall forthwith cancel his bail bonds after recording reasons and will take all coercive steps to ensure that the petitioner is behind bars.

(Satyavrat Verma, J)

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