

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40159 of 2021

Arising Out of PS. Case No.-1 Year-2021 Thana- ARWAL MAHILA District- Jehanabad

GOPAL SHARMA S/O LATE MANU SHARMA R/O VILLAGE-TERRA,
P.S-KARPI, DISTRICT-ARWAL.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. SONI KUMARI D/O RAJ KUMAR SHARMA R/O VILLAGE AND
POST-ARAI, P.S-DAUDNAGAR, DISTRICT-AURANGABAD.

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Anuj Kumar, Adv.
For the Opposite Party/s :	Mr.Bishweshwar Ram, APP Mr.Prahalad Kumar Bhagat, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 06-07-2022 Heard learned counsel for the parties.

The petitioner apprehends his arrest in a case registered under sections 323, 498-A, 494/34 of the IPC.

Petitioner, who is husband of the informant, is said to have solemnized second marriage and he does not maintain the informant. It is alleged that he abuses and torture her mentally.

It is submitted by learned counsel for the petitioner that petitioner is an innocent person and has committed no offence. He has not solemnized second marriage. There is general and omnibus allegation against the petitioner and he is ready and willing to keep his wife with full honour and dignity.

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 Arwal Mahila P.S. Case No.01 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

Petitioner is ready to pay Rs.10,000/- (Rupees Ten 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.

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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