

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39482 of 2022**

Arising Out of PS. Case No.-228 Year-2019 Thana- KARAHGAR District- Rohtas

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Jitendra Kumar Son oOf Vishavnath Choubey R/S- Bhairwa, P.S.- Kargahar,
District- Rohtas

... .. Petitioner/s

Versus

1. The State of Bihar
2. Priyanka Devi Wife of Jitendra Kumar Resident of Bhairwa, P.S.- Kargahar,
District- Rohtash, At Present R/O- Pathak Semri, P.S.- Baddi (Sheosagar)
District- Rohtash

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Choubey Jawahar, Advocate
For the Opposite Party/s	:	Dr. Kumar Uday Pratap, APP
For the Informant	:	Mr. Ashok Kumar Pandey, Advocate

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 06-12-2022 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 498(A) and 34 of the Indian Penal Code read with Sections 3/4 of the Dowry Prohibition Act.

Learned counsel for the petitioner submits that petitioner is husband of Opposite Party No.2 and he has already filed a divorce case in which proceeding is going on and the informant had already appeared and is contesting the case. Learned counsel based on instructions submits that petitioner is not averse to paying maintenance till maintenance is not decided



by a court of competent jurisdiction, it is further submitted that petitioner will pay a monthly maintenance of Rs. 7,500/- per month to the informant to which the learned counsel for the informant, based on instruction, agrees. It is further submitted that maintenance will commence from the month of December, 2022.

Learned counsel for the informant 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 he will immediately WhatsApp the said bank account number to the petitioner or will bring to the notice the bank account number of the informant and thereafter the maintenance amount will commence.

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 Kargahar P.S. Case



No. 228 of 2019 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 despite agreeing before this Court has not paid maintenance for two consecutive months, the learned trial court shall forthwith cancel his bail bonds after giving him an opportunity of hearing and take all coercive steps to ensure that the petitioner is behind bars.

(Satyavrat Verma, J)

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