

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39191 of 2022

Arising Out of PS. Case No.-365 Year-2021 Thana- LAKHISARAI District- Lakhisarai

GAUTAM KUMAR SON OF LATE DHARMENDRA SINGH R/O
VILLAGE- RAHATPUR, P.S.- PIPARIA, DISTRICT- LAKHISARAI

... .. Petitioner/s

Versus

1. The State of Bihar
2. KHUSHBU KUMARI D/O JANARDAN SHARMA R/O VILLAGE-
AURE, P.S.- RAMGARH CHOWK, DISTRICT- LAKHISARAI

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Mukesh Kumar, Adv.
For the Opposite Party/s	:	Mr.Satya Nand Shukla, APP
For the Informant	:	Mrs.Pravina Kumari, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 15-11-2022 Heard learned counsel for the parties.

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

The petitioner apprehends his arrest in a case registered u/s 341, 323, 504, 506, 498(A) IPC.

Petitioner, who is husband of the informant, is said to have tortured the informant mentally and physically. He ousted her out of the house saying that he did not like her and wanted to marry another girl and threatened to divorce or kill her.

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. It is submitted that parties have compromised the matter outside.

Learned counsel for the informant opposed the prayer for bail and denied that parties have compromised.

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 Lakhisarai (Ramgarh Chowk) P.S. Case No.365 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

However, at the time of filing bail bonds, petitioner is directed to serve his present residential address, where is residing at the place of posting.

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.



Learned court below is directed to issue notice to the informant for furnishing her bank details.

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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