

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55274 of 2021

Arising Out of PS. Case No.-20 Year-2021 Thana- MAHILA PS District- Katihar

Santosh Kumar Son Of Late Subodh Prasad Srivastava R/O - Jai Prakash Colony, Madhubani, P.S.- K. Hat, District- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Dr. Bidhu Ranjan, Advocate
For the State	:	Mr. Surendra Prasad Singh, APP
For the Informant	:	Mr. Arun Kumar Mandal, Advocate

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 03-02-2022 Heard learned counsel for the petitioner; learned APP
for the State and learned counsel for the informant.

The petitioner apprehends his arrest in connection with Mahila P.S. Case No. 20 of 2021 registered for offences under Sections 498A, 323 and 504 of the Indian Penal Code.

It has been submitted by learned counsel for the petitioner that the informant is getting maintenance of Rs.5000/- per month since 2014 but the present case has been filed by the informant in 2021.

Considered the submissions of the parties.

In view of the fact that this case is triable by the Magistrate and in view of the law laid down by the Apex Court in the case of *Arnesh Kumar V State Of Bihar* reported in (2014)



8 SCC 273, the application for anticipatory bail is allowed.

Accordingly, let petitioner, above-named, in the event of his arrest or surrender within ten weeks from today, be released on bail on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Katihar in connection with Mahila P.S. Case No. 20 of 2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Before accepting the bail bond of the petitioner, the court below itself will be satisfied as to payment of maintenance of Rs.5000/- per month. If it is found that the maintenance amount is being given to the informant then bail bond of the petitioner shall be accepted and in default in payment of the maintenance amount, bail bond of the petitioner shall stand automatically cancelled.

With the aforesaid observation and direction, this application is allowed.

(Sandeep Kumar, J)

BT/-

U		T	
---	--	---	--

