

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7845 of 2022

Arising Out of PS. Case No.-182 Year-2021 Thana- MAGADH MEDICAL COLLEGE
District- Gaya

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Bagesh Kumar @ Bageesh Kumar Son of Late Randhir Kumar Singh
Resident of Mohalla - Magadh Colony, Road No. -7D, P.S. - Magadh
Medical, District - Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Juli Kumari W/o Bagesh Kumar @ Bageesh Kumar, D/o Braj Kishore Singh
Resident of Village - Makhdumpur, P.O.- Makhdumpur, P.S. - Tankuppa,
District - Gaya.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Arvind Kumar Singh, Advocate
For the Opposite Party/s	:	Mr. Tapeswar Sharma, APP
For the Informant	:	Mr. Javed Jafar Khan, Advocate

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

10 04-08-2023 1. Heard learned counsel for the petitioner, learned
counsel for the informant and learned A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Magadh Medical P.S. Case No. 182 of 2021 registered for
the offences punishable under Sections 341, 323, 498(A), 313,
315, 504 and 34 of the Indian Penal Code read with Sections 3/4
of the Dowry Prohibition Act.

3. Learned counsel for the petitioner submits that the
petitioner being husband has been falsely implicated in the
present case along with his family members. It is next submitted
that the relationship between them has soured to such an extent



that it is not possible to revive the conjugal relationship. It is further submitted that even a divorce case has been filed which is pending adjudication before the learned Principal Judge, Family Court, Gaya. It is further submitted that the petitioner is willing to pay a monthly maintenance of Rs. 6,000/- to the informant which shall commence from 16.08.2023.

4. Learned counsel for the informant, on instruction, does not dispute the submission of the learned counsel for the petitioner and submits that he will provide the bank account number of the informant on the WhatsApp of the learned counsel for the petitioner and the learned counsel for the petitioner undertakes to forward the same to the petitioner so that the monthly maintenance, as agreed, starts getting credited in the account of the informant from 16.08.2023.

5. 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 Magadh Medical



P.S. Case No. 182 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

6. However, the informant will be at liberty to file an application seeking cancellation of the anticipatory bail granted to the petitioner before this Court, in the event, if the petitioner does not credit the maintenance amount, as agreed, for two consecutive months in her account.

(Satyavrat Verma, J)

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