

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21217 of 2023**

Arising Out of PS. Case No.-42 Year-2022 Thana- BEGUSARAI COMPLAINT CASE
District- Begusarai

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Sunil Kumar Sahani Son Of Hare Kishun Sahani Resident Of Village -
Ahiyapur, Tola Takiya, Ward No. 11, P.S. - Mansoorchak, Distt. - Begusarai

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Sunaina Devi Wife Of Sunil Kumar Sahani, D/O Ashok Sahani Resident Of
Village - Ahiyapur, Tola Takiya, P.S. - Mansoorchak, Distt. - Begusarai. At
Present Residing At Manjhoul Sangat Tola, Ward No. 11, P.S. - Chiraiya
Bariyarpur (Manjhoul O.P.), Distt. - Begusarai

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Sabal Kumar Jha, Advocate
For the Opposite Party/s	:	Mr. Anil Kumar Singh No. 1, APP
For the Complainant	:	Mr. Sandip Kumar Gautam, Advocate

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**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

3 01-08-2023 1. Heard learned counsel for the petitioner, learned
counsel for the complainant and learned A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Complaint P.S. Case No. 42C of 2022 registered for the
offences punishable under Sections 323, 307, 406, 498(A) 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 he
is willing to resume his conjugal relationship and will keep the
complainant with honour and dignity and will ensure her well-
being.



4. Learned counsel for the complainant submits that it is not possible to revive the conjugal relationship on account of various episodes which have happened in the married life.

5. Learned counsel for the petitioner submits that he is willing to pay a monthly maintenance of Rs. 4,000/- for the complainant and the child.

6. Learned counsel for the complainant agrees with the submission of the learned counsel for the petitioner.

7. Learned counsel for the complainant submits that he will provide the bank account number of the complainant 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 complainant from 16.08.2023.

8. 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 Complaint P.S. Case No. 42C of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

9. However, the complainant would 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 of Rs. 4,000/- as agreed, for two consecutive months in her account. It is further made clear that the present maintenance amount shall stop in the event if a court of competent jurisdiction fixes the maintenance.

(Satyavrat Verma, J)

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