

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60365 of 2021**

Arising Out of PS. Case No.-306 Year-2021 Thana- PARSA District- Saran

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KANHAIYA KUMAR @ KANHAIYA RAM Son of Bhola Ram Resident of
Village- Bhikhari Chapra, P.S.- Parsa, District- Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Shrinath Manjhi, Advocate
For the Opposite Party/s	:	Mr. Tarkeshwar Nath Thakur, APP
For the Informant	:	Mr. Narendra Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

6 06-07-2023 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 323, 379,
307, 498A, 504 and 34 of the Indian Penal Code.

Learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and being husband
of the informant has been falsely implicated in the present case,
it is next submitted that from perusal of the allegations as
alleged in the FIR it would manifest that the allegation of
demand of dowry and torture is also not specific rather is
general and omnibus in nature, it is further submitted that the
matter was referred for mediation but then the mediation



proceedings failed, but the petitioner is willing to maintain the informant and the child. Learned counsel further submits that he has instructions to make submission that the petitioner will pay an amount of Rs. 5,000/- per month by way of maintenance for maintaining the informant and the child which shall commence from 18.07.2023.

Learned counsel for the informant does not dispute the submissions made by the learned counsel for the petitioner and submits that he will WhatsApp the bank account number of the informant on the WhatsApp number of the learned counsel for the petitioner and the learned counsel for the petitioner submits that the moment he receives the bank account number of the informant, he will forward the same to the petitioner so that the maintenance amount, as agreed, starts getting credited from 18.07.2023.

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 Parsa P.S. Case No. 306 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

However, it is made clear that the informant shall be at liberty to file an application seeking cancellation of anticipatory bail granted to the petitioner, in the event if the petitioner for two consecutive months does not deposit the amount of maintenance, as agreed.

(Satyavrat Verma, J)

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