

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74013 of 2022

Arising Out of PS. Case No.-122 Year-2022 Thana- NAYA RAM NAGAR District- Munger

NAVNEET KUMAR S/o Late Amal Kishore Kumar R/o Village- Farda, P.S.-
Naya Ram Nagar, Distt- Munger.

... .. Petitioner/s

Versus

1. The State of Bihar
2. SONAM KUMARI W/o Navneet Kumar, D/o Sanjay Singh R/o Village-
Malik Tola, Farda, P.S.- Naya Ram Nagar (Safia Sarai, O.P.), Distt- Munger.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Surya Narayan Sah

For the Opposite Party/s : Mr. Tarkeshwar Nath Thakur

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 02-08-2023 1. Heard learned counsel for the petitioner and

learned A.P.P. for the State along with the learned counsel for

the informant.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 498(A)
and 34 of the Indian Penal Code and Sections 3 and 4 of the
Dowry Prohibition Act.

3. Learned counsel for the petitioner submits that the
relationship between the petitioner and the informant has soured
to an extent that it is not possible to revive the conjugal
relationship, it is next submitted that the petitioner has already
filed divorce case being divorce case No. 51 of 2019 pending



adjudication in the Court of Learned Principal Judge, Family Court Munger, it is next submitted that despite issuance of notice, the informant has not appeared and the case is likely to be fixed for *ex-parte* hearing. It is next submitted that that he has instructions to make submissions that the petitioner is willing to pay a monthly maintenance of Rs. 5,000/- to the informant which shall commence from 11.08.2023. It is next submitted that the said maintenance will come to an end in the event if a Court of competent jurisdiction fixes the maintenance.

4. Learned counsel for the informant does not oppose 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 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 11.08.2023.

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 trial court 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 trial court where the case is pending/successor court in connection with Naya Ram Nagar P.S. Case No. 122 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

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

(Satyavrat Verma, J)

HarshPandey/-

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