

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17069 of 2024

Arising Out of PS. Case No.-511 Year-2019 Thana- COMPLAINT CASE District- Supaul

Rajendra Mandal Son of Mahanthi Mandal Resident of vill.-Ward No.6
Atalkha Belhi Semaria, P.S.-Tribeniganj, Distt.-Supaul

... .. Petitioner/s

Versus

1. The State of Bihar
2. Pulpul devi Wife of Rajendra Mandal, D/O Khattar Mandal Resident of vill.-
Nirmali, P.S.-Pipra, Distt.-Supaul

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Mishra

For the Opposite Party/s : Ms.Sangeeta Sharma

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 08-08-2024 1. Heard learned counsel for the petitioner and

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

No. 2.

2. The petitioner apprehends his arrest in a case

registered for the offences punishable under Section 498A of the

Indian Penal Code.

3. The learned counsel for the petitioner submits that

petitioner, being husband, has been falsely implicated by the

complainant. It is further submitted that the petitioner and the

OP No. 2 were married in the Year 2004 and out of wedlock,

four children were born on which the learned counsel appearing

on behalf of the OP No. 2 submits that out of four children,



three children presently are staying with the OP No. 2 and the OP No. 2 has been ousted from her matrimonial home since 2019 as such one can well imagine the plight of the OP No. 2 that how she is managing herself and the children in absence of any financial support but then it is submitted that efforts were made on earlier occasion to revive the conjugal relationship but then all efforts failed.

4. At this stage, the learned counsel for the petitioner submits that since the marriage is more 20 years old as such with passage of time, the parties may reconcile on intervention of well-wishers. It is also submitted based on instruction that petitioner is willing to pay a monthly maintenance of Rs. 5,000/- (Five Thousand) which shall commence from 27-8-2024 on which the learned counsel appearing on behalf of the OP No. 2 submits that no useful purpose would be served by sending the petitioner to jail, since the petitioner is willing to pay monthly maintenance of Rs. 5,000/-.

5. The learned counsel for the OP No. 2 submits that he will WhatsApp the bank account number of the OP No. 2 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 commences from 27-8-2024.

6. Considering the submission made by the learned counsel for the parties, 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 Case No. 511C of 2019 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. However, it is made clear that OP No. 2 shall be at liberty to file an application before this court seeking cancellation of the anticipatory bail granted to the petitioner, in the event if the petitioner does not deposit the monthly maintenance as agreed for two consecutive months.

(Satyavrat Verma, J)

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