

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19960 of 2024

Arising Out of PS. Case No.-201 Year-2023 Thana- BEGUSARAI COMPLAINT CASE
District- Begusarai

=====

MUKUND KUMAR S/O- RAM CHARITRA SINGH R/O- VILLAGE-
GHONGHSA, P.S.- HALSI, DIST.- LAKHISARAI.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Shruti Kumari @ Lali, wife of Mukund Kumar, Daughter of Hemant Kumar @ Laddu, Resident of Village Khonghsa, P.S. Halsi, District Lakhisarai, A/P Resident of Village Sihma, Chaukhisi Tola, P.S. Matihani, District Begusarai

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar, Advocate
For the Opposite Party/s : Mr. Braj Kishore Pd., A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

5 26-10-2024 1. Heard learned counsel for the petitioner, learned counsel appearing on behalf of the opposite party no. 2/complainant and learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Section 498(A) of the Indian Penal Code.

3. Learned counsel for the petitioner submits that petitioner, being the husband, has been falsely implicated in the instant case by the complainant. It is further submitted that the case was referred for mediation but then mediation failed. It is next submitted that presently the relationship in between the petitioner and the opposite party no. 2 has soured to an extent



where it is not possible to revive the conjugal relationship but then with passage of time and on intervention of well-wishers, the parties may resolve their dispute. It is also submitted that petitioner, being the husband, is aware of his responsibilities and, thus, based on instruction, it is submitted that petitioner is willing to pay a monthly maintenance of Rs.5,000/- to the opposite party no. 2 which shall commence from 04.11.2024.

4. Learned counsel appearing on behalf of the opposite party no. 2 fairly submits that no useful purpose would be served by sending the petitioner to jail as petitioner is willing to pay a monthly maintenance. It is further submitted that if petitioner is sent to jail, the chances of future reconciliation will also get marred.

5. Learned counsel further submits that he will Whatsapp the bank account number of the opposite party no. 2 on the Whatsapp number of the learned counsel appearing on behalf of the petitioner and the learned counsel appearing on behalf of the petitioner undertakes to communicate the same to the petitioner so that the monthly maintenance as agreed commences from 04.11.2024.

6. Learned A.P.P. for the State is present.

7. Considering the submissions made by the learned



counsel for the petitioner, let 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.10,000/- (Rupees Ten 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. 201(C) of 2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

8. However, the opposite party no. 2 shall be at liberty to file an application seeking cancellation of the anticipatory bail granted to the petitioner, if the petitioner does not deposit the amount of maintenance as agreed for two consecutive months.

9. It is further made clear that the present maintenance will stop if a court of competent jurisdiction fixes the maintenance.

(Satyavrat Verma, J)

Kundan/-

U		T	
---	--	---	--

