

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22948 of 2024

Arising Out of PS. Case No.-1320 Year-2023 Thana- BHOJPUR COMPLAINT CASE
District- Bhojpur

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Ankit Sahay Son Of Late Ashok Sahay Resident Of Flat No 203 Mayuri
Heavens Kaspatewasti Wakad Ps- Wakad District- Pune

... .. Petitioner/s

Versus

1. The State of Bihar
2. Pooja Kumari @ Puja Sahay Daughter Of Krishna Ranjan Sahay, Resident
Of Village- Maulabag, PS- Ara Nawada, Distt- Bhojpur

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bhaskar Shankar

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 07-05-2024 1. Heard learned counsel for the petitioner, learned
A.P.P. for the State, Mr. Chandra Bhushan Prasad, along with
learned counsel appearing on behalf of OP No. 2.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 498A, 323
and 406 of the Indian Penal Code.

3. The learned counsel for the petitioner submits that
petitioner, being husband, has been falsely implicated in the
instant case by the complainant. It is next submitted that
petitioner is willing to keep the OP No. 2 with honour and
dignity. It is next submitted that petitioner also filed an
application seeking restitution of his conjugal rights in the court



of learned 13th Joint C.J.S.D and Additional C.J.M., Pune.

4. The learned counsel appearing on behalf of the OP No. 2 submits that the OP No. 2 has recently received the notice in the aforesaid case. It is further submitted that petitioner has tortured her to an extent where it is not possible to revive the conjugal relationship.

5. At this stage, the learned APP, Mr. Chandra Bhushan Prasad, submits that at times emotion runs high and the parties are not willing to resolve their dispute, but then with passage of time and with intervention of well-wishers, chances of future reconciliation still remains. It is further submitted that effort of the court should be to revive the conjugal relationship, on which the learned counsel appearing on behalf of the petitioner submits that petitioner, in order to establish his bonafide, is willing to pay a monthly maintenance of Rs. 15,000/- (Fifteen thousand) to the OP No. 2 which shall commence 27-5-2024.

6. The learned counsel for the petitioner further submits that may be with passage of time and on intervention of well-wishers, the parties may resolve their dispute amicably.

7. 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 commences from 27-5-2024.

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 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 Complaint Case No. 1320(c) of 2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

9. 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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