

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25141 of 2024

Arising Out of PS. Case No.-34 Year-2023 Thana- MAHILA P.S. District- Nalanda

Rajneeti Kumar Son of Bhola Ram Village- Narayanpur, P.S.- Ghoshwari,
District- Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Nilam Kumari D/o Kishori Ram Resident of Village and P.O. Gopalbad, P.S. Sarmera, District- Nalanda

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Zaki Haider

For the Opposite Party/s : Mr. Akshay Lal Pandit

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 01-05-2024 1. Heard learned counsel for the petitioner and learned A.P.P. for the State along with learned counsel appearing on behalf of the informant.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 498A, 341, 323 and 504 of the Indian Penal Code.

3. Learned counsel for the petitioner submits that the relationship in between the petitioner and the informant has deteriorated to an extent where it is not possible to revive the conjugal relationship. It is also submitted that petitioner has already filed an application seeking divorce from the informant which is pending adjudication in the Court of learned Principal



Judge, Family Court Nalanda. It is next submitted that petitioner is even willing to keep his two children who are presently staying with the informant, on which the the learned counsel appearing on behalf of the informant submits that if petitioner intends to keep the children for that he will have to come through the process of law. It is further submitted that one can well imagine the plight of the informant who is staying with her children without any financial support from the petitioner for the last nearly two years. It is also submitted that children are studying.

4. The learned counsel appearing on behalf of the petitioner submits that petitioner is willing to pay a monthly maintenance of Rs. 12,000/- to the informant and the children, on which the learned counsel appearing on behalf of the informant submits that since petitioner is willing to pay a monthly maintenance of Rs. 12,000/-, as such, no useful purpose would be served by sending the petitioner to jail.

5. Learned counsel appearing on behalf of the informant submits that he will *Whatsapp* the bank account number of the informant 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 forward the same to the petitioner so that the monthly maintenance, as agreed, commences from 13.05.2024.

6. 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. 10,000/- (Rupees Ten 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 Mahila P.S. Case No. 34 of 2023 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. However, it is made clear that the informant 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 amount of monthly maintenance, as agreed, for two consecutive months.

(Satyavrat Verma, J)

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