

Arising Out of PS. Case No.-663 Year-2021 Thana- NALANDA COMPLAINT CASE
District- Nalanda

... .. Petitioner/s

Versus

- Opposite Party/s

For the Petitioner/s : Mr.Manish Kumar No2
For the Opposite Party/s : Mr.Khurshid Anwar

3. Learned counsel for the petitioner submits that from perusal of the office report dated 28-6-2024, it would manifest that the same records that speed post tracking status at flag "D" records "item delivered", which amply demonstrates that notices have been delivered to the OP No. 2.



4. In view of the office report dated 28-6-2024, the notice is deemed to have been validly served.

5. The learned counsel for the petitioner next submits that petitioner, being husband, has been falsely implicated in the instant case by the complainant. It is next submitted that earlier the complainant had instituted Mahila PS Case No. 172 of 2020 and when the petitioner was granted the privilege of anticipatory bail, the present complaint case in the year 2021 came to be instituted in which cognizance has been taken. The learned counsel next submits that the relationship in between the petitioner and the OP No. 2 has soured to an extent where it is not possible to revive the conjugal relationship and the petitioner has already filed divorce case being Divorce Case No. 159 of 2020, which is pending adjudication in the court of learned Principal Judge, Family Court, Nalanda at Biharsharif. It is next submitted that petitioner is ready to pay a monthly maintenance of Rs. 3,000/- to the OP No. 2, which shall commence from 1-8-2024.

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

7. 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 Complaint Case No. 663(c) of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

8. 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)

SUMIT/-

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

