

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25624 of 2024

Arising Out of PS. Case No.-62 Year-2022 Thana- MAHILA P.S. District- Saran

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Akash Mahto S/o- Late Valmiki Mahto Village- Sikarpur Police Station-
Sonpur District-Saran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Puja Devi W/o Akash Mahto, D/o Janta Mahto R/o Khawaspur, Khurd,
P.S.- Doriganj, District- Saran

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Bishwajeet Singh
For the Opposite Party/s	:	Mr. Dilip Kumar No. 1
For the Informant	:	Mr. Surendra Kumar Mishra

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 25-07-2024 1. Heard learned counsel for the petitioner, learned
A.P.P. for the State and the learned counsel appearing on behalf
of the O.P. No. 2.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 498A and
494 of the Indian Penal Code read with Sections 3 and 4 of the
Dowry Prohibition Act.

3. Learned counsel for the petitioner submits that
petitioner, being husband, has been falsely implicated in the
instant case. It is next submitted that the relationship in between
the petitioner and the O.P. No. 2 has deteriorated to an extent
where it is not possible to revive the conjugal relationship, but



then submits that with passage of time, the parties may reconcile their dispute.

4. The learned counsel for the petitioner, based on instruction, submits that petitioner, in order to establish his *bona fide*, is willing to pay a monthly maintenance of Rs. 4,000/- to the O.P. No. 2.

5. The learned counsel appearing on behalf of the O.P. No. 2 submits that no useful purpose would be served by sending the petitioner to jail when petitioner is willing to pay a monthly maintenance of Rs. 4,000/- to the O.P. No. 2. It is next submitted that he will *Whatsapp* the bank account number of the O.P. 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 01.08.2024.

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 Chapra Mahila P.S. Case No. 62 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

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

8. It is further made clear that the present maintenance will stop in the event if maintenance is decided by a Court of competent civil jurisdiction.

9. Accordingly, the instant anticipatory bail application stands allowed.

(Satyavrat Verma, J)

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