

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25443 of 2024

Arising Out of PS. Case No.-611 Year-2023 Thana- BUXAR COMPLAINT CASE District-
Buxar

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Munna Sahni SON OF DASHRATH MAHTO @ DASHRATH SAHNI
RESIDENT OF VILLAGE- BALUA, PS- BRAHAMPUR, DIST- BUXAR
... .. Petitioner/s

Versus

1. The State of Bihar
2. MAYA DEVI WIFE OF MUNNA SAHNI RESIDENT OF VILLAGE-
BALUA, PS- BRAHAMPUR, DIST- BUXAR and at present address R/O -
VILLAGE- BARKI NAINIJOR, PS- BRAHAMPUR, DIST- BUXAR
... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Dr. (Mr.) Kamal Deo Sharma, Advocate
For the Opposite Party/s : Mr. Chandra Bhushan Prasad, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 4 18-09-2024 1. Heard learned counsel for the petitioner, learned
A.P.P. for the State and learned counsel appearing on behalf of
the opposite party no. 2.
2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 341, 323,
504 and 498(A)/34 of the Indian Penal Code.
3. Learned counsel for the petitioner, at the outset,
submits that the case was earlier taken up on 29.08.2024 when a
submission on behalf of the petitioner based on instruction was
made that petitioner is working as a labourer in Madras and
shall go personally to the parental home of the opposite party
no. 2 on or before 17.09.2024 to bring her back to her
matrimonial home along with the children. It is further



submitted that the relationship has soured to an extent where presently it does not appear possible to revive the conjugal relationship but then with passage of time and on intervention of well-wishers, the parties may resolve their dispute.

4. Learned counsel next submits that petitioner, being the husband, is aware of his responsibility towards the opposite party no. 2 and the children and as such it is submitted based on instruction that petitioner is willing to pay a monthly maintenance of Rs.6,000/- to the opposite party no. 2 which shall commence from 01.10.2024.

5. Learned counsel appearing on behalf of the opposite party no. 2 also submits that since petitioner is willing to pay a monthly maintenance of Rs.6,000/- as such no useful purpose would be served by sending the petitioner to jail. It is further submitted that if petitioner is sent to jail, the chances of reviving the conjugal relationship will get marred. It is next submitted that the bank account number of the opposite party no. 2 shall be WhatsApped 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 01.10.2024.



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, 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. 611(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.

(Satyavrat Verma, J)

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