

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26995 of 2024

Arising Out of PS. Case No.-350 Year-2023 Thana- PATNA COMPLAINT CASE District-
Patna

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Shambhu Kumar Pandey @ Shambhu Kumar S/o- Naresh Pandey R/o
Mohalla- Bisai Bigha, Nishchalganj, P.S.- Agari, Dist- Nalanda

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Supriya Bharti D/o- Shri vijay Krishna Sharma W/o Shambhu Kumar R/o
Vill- Dahuchak Nagla, P.o- Madhav Mills, P.S- Malsalami Dist- Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rakesh Shrivastava

For the Opposite Party/s : Mr.Surendra Kumar

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR

ORAL ORDER

2 01-05-2024 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner seeks anticipatory bail in

connection with Complaint Case No. 350 of 2023 registered for
the offence under Sections 354, 323, 498A, 379, 504, 506, 376,
494, 312/109 of the Indian Penal Code.

3. Learned counsel for the petitioner, at the very

outset has submitted that the petitioner is ready to maintain his
wife and he has offered to pay a monthly maintenance of Rs.
5000 per month to the complainant.

4. Considering the aforesaid and also considering

the law laid down by the Hon'ble Supreme Court in the case of



Arnesh Kumar Vs. The State of Bihar reported in 2014 8 SCC 273, this application is allowed.

5. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within six weeks from today is directed to be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Patna City in connection with Complaint Case No. 350 of 2023 subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

6. As a condition of this order, the petitioner is directed to pay a maintenance amount of Rs. 5000 by 7th day of each month. The amount shall be transferred in the bank account of the complainant as provided by her in the Court below. If the complainant delays in furnishing the bank details then the petitioner will send money order to the complainant. The payment of the maintenance amount will start from the month of May, 2024.

7. Any default in payment of the maintenance amount, will result in cancellation of bail bonds of the petitioner.



8. The amount of maintenance is subject to any further order in any appropriate proceeding which may have been initiated or can be initiated by the petitioner in the lower Court.

(Sandeep Kumar, J)

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