

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27481 of 2024**

Arising Out of PS. Case No.-126 Year-2020 Thana- JAMALPUR District- Darbhanga

Noor Alam S/o Mansur Alam R/V- Mansara, P.S.- Jamalpur (Barganow O.P.),
District- Darbhanga

... .. Petitioner/s

Versus

1. The State of Bihar
2. Isharat Praveen D/o Md. Kalimuddin R/V- Bardaha, P.S.- Jamalpur
(Badganow O.P.) District- Darbhanga

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar, Advocate
For the Opposite Party/s : Mr. Binod Kumar, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

- 4 07-10-2024 1. Heard learned counsel for the petitioner, learned A.P.P. for the State and learned counsel appearing on behalf of the informant/opposite party no. 2.
2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 341, 342, 323, 325, 354(B), 498(A) and 504/34 of the Indian Penal Code.
3. The petitioner and the informant in compliance of the order dated 01.10.2024 are present in the Court.
4. Learned counsel for the petitioner submits that petitioner, being the husband, has been falsely implicated in the instant case. It is further submitted that presently the relationship in between the petitioner and the informant has soured to an extent where it is not possible to revive the



conjugal relationship but then with passage of time and on intervention of well-wishers, the parties may resolve their dispute amicably. It is next submitted that petitioner works in Bengaluru with an Event Manager as a labourer and earns about Rs.10,000/- to Rs.12,000/- per month. It is also submitted that he has instruction to submit that petitioner is willing to pay a monthly maintenance of Rs.4,000/- to the informant which shall commence from 16.10.2024.

5. Learned counsel appearing on behalf of the informant fairly submits that no useful purpose would be served by sending the petitioner to jail as the same would mar the prospects of future reconciliation. It is further submitted that since petitioner is willing to pay a monthly maintenance of Rs.4,000/- to the informant as such the anticipatory bail of the petitioner is not being opposed. It is next submitted that the bank account number of the informant shall be WhatsApped on the WhatsApp 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 16.10.2024.

6. 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.5,000/- (Rupees Five 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 Jamalpur P.S. Case No. 126 of 2020, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. However, the informant 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.

8. It is made clear that if the maintenance is fixed by a court of competent jurisdiction, the present maintenance shall stop.

(Satyavrat Verma, J)

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