

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35355 of 2024

Arising Out of PS. Case No.-4 Year-2023 Thana- JEHANABAD COMPLAINT CASE
District- Jehanabad

=====

Kundan Kumar Son Of Kaushalendra Sharma @ Gora Singh @ Gorakh Singh
Resident Of Village- Seahti, Ps- Kako, Dist- Jehanabad

... .. Petitioner/s

Versus

1. The State of Bihar
2. Kushboo Kumari Wife Of Kundan Kumar Resident Of Village- Seahti, Ps- Kako, Dist- Jehanabad At P/A- D/O- Mithlesh Kumar Village- Sethua, Ps- Ghoshi, Dist- Jahanabad

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s	:	Mr.Nityanand Neeraj
For the Opposite Party/s	:	Ms.Rita Verma
		Mr. Shiw Kumar

=====

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 26-10-2024 **1.** Heard learned counsel for the petitioner and learned A.P.P. for the State along with learned counsel for OP No. 2.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 323, 494, 380 and 498A of the Indian Penal Code read with Sections 3 and 4 of the Dowry Prohibition Act.

3. The learned counsel for the petitioner, at the outset, submits that petitioner being husband has been falsely implicated in the instant case. It is next submitted that allegations are in realm of allegations. It is also submitted that



petitioner being husband is aware of his responsibility and is willing to pay a monthly maintenance of Rs. 5,000/- (Five Thousand) which shall commence from 5-11-2024. It is also submitted that may be with passage of time and on intervention of well-wishers, the parties may resolve the dispute amicably.

4. The learned counsel appearing on behalf of the OP No. 2 fairly submits that no useful purpose would be served by sending the petitioner to jail as petitioner is ready to pay a monthly maintenance of Rs. 5,000/- to the OP No. 2. It is also submitted that if petitioner is sent to judicial custody, chances for future reconciliation will also get bleak.

5. The learned counsel for the OP No. 2 submits that he will WhatsApp the bank account number of the OP No. 2 on the WhatsApp number of the learned counsel for the petitioner and the learned counsel for the petitioner undertakes to forward the same to the petitioner so that the monthly maintenance commences from 5-11-2024.

6. Considering the submission made by the learned counsel for the parties, 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. 4 of 2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. 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.

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

(Satyavrat Verma, J)

SUMIT/-

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

