

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33739 of 2024

Arising Out of PS. Case No.-12 Year-2023 Thana- MAHILA P.S. District- Rohtas

Sarvan Kumar Gupta @ Sarvan Kumar Son of Ajay Sah Resident of Village -
Mokar, P.S.- Agrer, District - Rohtas.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Shweta Kumari Daughter of Sanjay Prasad Gupta Resident of Village -
Rotwan, P.S.- Baghaila, District - Rohtas.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Bhaskar Shankar, Advocate
		Ms. Ojaswee Kumari, Advocate
For the Opposite Party/s	:	Mr. Rabindra Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 4 20-11-2024 1. Heard Ms. Ojaswee Kumari learned counsel for the
petitioner, Mr. Rabindra Kumar 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 323 and
498(A)/34 of the Indian Penal Code as well as Sections 3 and 4
of the Dowry Prohibition Act.
3. Learned counsel for the petitioner at the outset
submits that the relationship in between the petitioner and the
opposite party no. 2 has deteriorated to an extent where it is not
possible to revive the conjugal relation in the near future but
with passage of time and on intervention of well-wishers, the
parties may reconcile their dispute. It is further submitted that



petitioner is willing to pay a monthly maintenance of Rs.5,000/- to the opposite party no. 2 which shall commence from 01.12.2024.

4. Learned counsel appearing on behalf of the opposite party no. 2 also based on instruction fairly submits that 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 future reconciliation will also get marred, though mediation has failed. 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. 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 01.12.2024.

5. Learned A.P.P. for the State is present.

6. Considering the submissions made by the learned counsel for the parties, 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 Mahila P.S. Case No. 12 of 2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. 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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