

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31851 of 2023

Arising Out of PS. Case No.-1940 Year-2019 Thana- PURNIA COMPLAINT CASE District-
Purnia

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Prashant Kumar @ Prasant Kr., Son Of Late Shri Satya Narayan Chowdhary
@ Satya Narayan Choudhary Resident Of Flat No.- 305, Kopri Goan, P.S.-
Apmc - Navi Mumbai, District - Thane, Maharastra

... .. Petitioner/s

Versus

1. The State of Bihar
2. Priyanka Anand Wife of Prashant Kumar D/O Late Raj Kumar Jaiswal,
Resident of Belori Chowk, P.S.- Sadar (Mufassil), District - Purnea.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anil Prasad Singh

For the Opposite Party/s : Mr.Awadhesh Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 29-03-2024 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in anticipation of his
arrest in a case registered for the offences punishable under
Sections 498(A) of the Indian Penal Code.

3. The learned counsel for the petitioner submits that
the opposite party no.2, despite receiving notice, validly chooses
not to appear and contest, which amply demonstrates that
opposite party no.2 is not interested in restituting her conjugal
life when petitioner is willing to keep the opposite party no.2
and the child with honour and dignity. It is further submitted
that petitioner works as a Technical Assistant with Bhabha



Atomic Research Centre.

4. Learned A.P.P. submits that it may be a possibility that on account of financial difficulties, being faced by the opposite party no.2, she, despite receiving notice, chooses not to appear.

5. At this stage, the learned counsel for the petitioner, based on instruction of the petitioner, submits that petitioner is willing to pay a monthly maintenance of Rs.10,000/- (Ten Thousand) to the opposite party no.2, which shall commence from 08.04.2024.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs.5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of Md. Arbaj Ansari, J.M., 1st Class, Purnea the learned in connection with C.A. Case No.1940 of 2019, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

8. However, it is made clear that the opposite party no.2 shall be at liberty to file an application seeking cancellation



of anticipatory bail granted to the petitioner, in the event, if the petitioner does not pay the monthly maintenance as agreed for two consecutive months.

9. The learned counsel for the petitioner submits that the opposite party no.2 has even filed a case in the Court of the learned Principal Judge, Family Court, Araria seeking maintenance.

10. It is made clear that the present maintenance shall be subject to the decision taken by the learned Family Court, Araria in the maintenance case filed by the opposite party no.2. The present maintenance will stop, the moment maintenance case is decided by the learned Family Court, Araria.

(Satyavrat Verma, J)

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