

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37159 of 2024

Arising Out of PS. Case No.-104 Year-2023 Thana- SAMASTIPUR COMPLAINT CASE
District- Samastipur

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Ravi Paswan @Ravi Kumar Paswan Son of Rajdeo Prasad R/O VILLAGE
MIRZAPUR P.S. TAJPUR DISTRICT SAMASTIPUR

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rupa Kumari Devi D/O Arjun Paswan R/O Village- Shivnagar, P.O.-
Karihara, P.S.- Ujiyarpur, District- Samastipur

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Alok Sinha
For the Opposite Party/s : Mr. Lakshmi Kant Sharma

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 01-07-2024
1. Heard learned counsel for the petitioner, learned

APP for the State and learned counsel appearing on behalf of the

complainant.

2. The petitioner apprehends his arrest in a case

registered for the offences punishable under Section 498A of the

Indian Penal Code.

3. Learned counsel for the petitioner, at the outset,

submits that petitioner, being husband, has been falsely

implicated in the instant case by the O.P. No. 2. It is further

submitted that the relationship in between the petitioner and the

O.P. No. 2 has soured to an extent where it is not possible to

revive the same, but then submits that petitioner is willing to pay



a monthly maintenance of Rs. 4,000/- to the O.P. No. 2 and the child.

4. The learned counsel appearing on behalf of the O.P. No. 2 submits that since petitioner is ready to pay a monthly maintenance of Rs. 4,000/- to the O.P. No. 2, as such, no useful purpose would be served by sending the petitioner to jail. It is also submitted that may be with intervention of well wishers, the parties may resolve their dispute, on which the learned counsel appearing on behalf of the petitioner also concurs.

5. Learned counsel appearing on behalf of the O.P. No. 2 submits that he will *Whatsapp* the bank account number of the O.P. No. 2 on the *Whatsapp* number 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 15.07.2024.

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

7. 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 trial court 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 trial court where the case is pending/successor court in connection with Complaint Case No. 104 of 2023 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

8. However, it is made clear that the O.P. 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 amount of monthly maintenance, as agreed, for two consecutive months.

(Satyavrat Verma, J)

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