

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38726 of 2024

Arising Out of PS. Case No.-611 Year-2019 Thana- NALANDA COMPLAINT CASE
District- Nalanda

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Barun Ram @ Barun Kumar Son of Nawal Chandra Banshi Resident of
Mohalla- Punhaho,P.S- Rahuhi, Dist-Nalanda

... .. Petitioner/s

Versus

1. The State of Bihar
2. Priyanka Kumari Sanjay Ram Resident of village- Barandi, P.S.- Rahuhi,
District- Nalanda

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prateek Tandon

For the Opposite Party/s : Mr. Gauri Shankar Gupta

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 4 20-11-2024 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State. No one appears on behalf of the O.P. No.2.
2. The petitioner apprehends his arrest in a case
registered for the offence punishable under Sections 498A of the
Indian Penal Code.
3. Learned counsel for the petitioner submits that the
case was earlier taken up on 25.09.2024, when no one had
appeared on behalf of the O.P. No.2. Today also no one appears.
It appears that the learned counsel appearing on behalf of the
O.P. No.2 has lost interest in the case.
4. Learned counsel for the petitioner submits that
petitioner being husband has been falsely implicated in the



instant case by the O.P. No.2. It is next submitted that after filing the instant complaint case, the petitioner and the O.P. No.2 started residing together but again some dispute arose in the year 2022, on account of which, an F.I.R. came to be instituted being Rahui P.S. Case No. 504/2022 dated 20.09.2022, in which, petitioner has been granted the benefit of Section 41(A) of the Cr.P.C. It is next submitted that presently the relationship in between the petitioner and the O.P. No.2 has deteriorated to an extent where it is not possible to revive the conjugal relationship but then in future the parties may reconcile, as such, no useful purpose would be served by sending the petitioner to jail which may mar the chance of future reconciliation. It is also submitted that petitioner being husband is aware of his responsibility and is willing to pay a monthly maintenance of Rs.4000/- to the O.P. No.2, which shall commence from 01.12.2024. It is also submitted that petitioner earns his livelihood by selling eggs.

5. The learned APP opposes the anticipatory bail application of the petitioner but then fairly submits that no useful purpose would be served by sending the petitioner to jail since the petitioner is willing to pay a monthly maintenance of Rs.4000/- to the O.P No.2 and in future if any attempt is made



for reconciliation the same shall also get marred if petitioner is sent to judicial custody.

6. Considering the submissions made by the learned counsels 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 trial court where the case is pending/successor court in connection with Complaint Case No.611C of 2019, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. However, the O.P No.2 shall be at liberty to file an application seeking cancellation of the anticipatory bail granted to the petitioner, in the event, if the petitioner does not deposit the amount of maintenance, as agreed, for two consecutive months

(Satyavrat Verma, J)

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