

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39370 of 2024

Arising Out of PS. Case No.-742 Year-2023 Thana- SARAN COMPLAINT CASE District-
Saran

Janak Dev Ram @ Janak Dev Kumar Ram S/o Prabhu Ram R/o Vill.- Maker,
P.S.-Maker, District-Saran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Nibha Devi D/O Devananad Ram R/O Vill.-Maker(Azampur), P.S.-Parsa,
District-Saran at Chapra.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Avinash Kumar Pandey

For the Opposite Party/s : Ms.Gulnar Begum

Mr. Ajit Kumar Singh, Adv

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 20-11-2024 1. Heard learned counsel for the petitioner, learned
A.P.P. for the State and learned counsel appearing on behalf of
informant.

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 submits that
petitioner, being husband, has been falsely implicated in the
instant case by the OP No. 2. It is next submitted that petitioner
is willing to keep the OP No. 2 with honour and dignity, on
which learned counsel appearing on behalf of the OP No. 2
submits that the said submission has been made only for the



purposes of seeking anticipatory bail as petitioner does not intend to restitute his conjugal rights or else he would have made efforts. It is also submitted that O.P. No.2 is staying at her parental home with her child in absence of any financial support from the petitioner, on which the learned counsel appearing on behalf of the petitioner, based on instruction, submits that for the present he is not rebutting the submission made by the learned counsel for the O.P. No.2, but then the petitioner in order to show his bonafide is willing to pay a monthly maintenance of Rs. 5,000/- (Five Thousand), on which the learned counsel appearing on behalf of the O.P. No. 2 submits that since the petitioner is willing to pay a monthly maintenance, as such no useful purpose would be served by sending the petitioner to jail; and with passage of time and on intervention of well-wishers, the parties may reconcile their dispute.

4. 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 1-12-2024.

5. 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. 5,000/- (Rupees Five 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. 742 of 2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

6. 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.

(Satyavrat Verma, J)

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