

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37303 of 2023

Arising Out of PS. Case No.-1184 Year-2020 Thana- BEGUSARAI COMPLAINT CASE
District- Begusarai

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BABLOO TANTI Son of Ram Shankar Tanti Resident of village - Akaha
Kurha, P.s. - Shamho, Distt. - Begusarai, Bihar

... .. Petitioner/s

Versus

1. The State of Bihar
2. Laxmi Kumari Wife of Babloo Tanti, D/o Raj Kumar Das Residing at
Village- Raghunandanpur Chaknaya, ward no. 06, P.S. - Bhagwanpur
(Tiyay O.P), Distt. - Begusarai, Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Mr.Yogesh Kumar, Advocate
For the Opposite Party/s :	Mr.Mohammed Arif, APP
	Mr. Shubhesh Pandey, Advocate

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 02-04-2024 1. Heard learned counsel for the petitioner, learned
APP for the State along with learned counsel appearing on
behalf of the O.P. No.2.

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 parties jointly
submitted that the case was referred for mediation, but then the
mediation failed.

4. The learned counsel for the petitioner submits that
the relation in between petitioner and the O.P. No.2 has
deteriorated to an extent that it is not possible to revive the



conjugal relationship, but then submits that petitioner is willing to pay a monthly maintenance of Rs.6000/- to the O.P. No.2. The learned counsel very fairly submits that may be in the present the relationship has deteriorated and the possibility of getting it revived does not appear probable, but then with passage of time the parties may come together.

5. The learned counsel appearing on behalf of the O.P. No.2 also does not dispute the submission made by the learned counsel for the petitioner, but then submits that no useful purpose would be served by sending the petitioner to jail, when he is ready and willing to pay a monthly maintenance of Rs.6000/- for the maintenance of the complainant and the child. It is also submitted that may be with passage of time, the relationship will revive.

6. The learned counsel further submits that he will whatsapp the bank account number of the O.P. No.2 on the whatsapp number of the learned counsel for the petitioner and the learned counsel for the petitioner undertakes to communicate the same to the petitioner so that the monthly maintenance as agreed commences from 22.04.2024.

7. The learned APP opposes the anticipatory bail application.



8. 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.2000/- (Rupees Two Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, Ist Class, Begusarai in connection with Complaint Case No.1184 of 2020, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

9. However, it is made clear that 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 petitioner does not deposit the monthly maintenance as agreed for two consecutive months.

10. The application stands allowed.

(Satyavrat Verma, J)

Prakash Narayan

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