

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48310 of 2023

Arising Out of PS. Case No.-424 Year-2021 Thana- MUNGER COMPLAINT CASE
District- Munger

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KRISHNA KUMAR BHARTI S/O ARJUN MANDAL R/O Village- Tenotha,
P.S- Parwata, Distt.- Khagariya.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Bandana Kumari D/O Vinod Mandal R/O Village- Pariya, P.S- Bariyarpur,
Distt.- Munger.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Deep Nishi
For the Opposite Party/s : Mr. Harendra Prasad

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 06-03-2024 1. Heard learned counsel for the petitioner and

learned A.P.P. for the State along with learned counsel for the

O.P. No. 2.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Section 498A of the
Indian Penal Code read with Sections 3 and 4 of the Dowry
Prohibition Act.

3. Learned counsel for the petitioner submits that
petitioner is willing to keep the O.P. No. 2 and the child with
honour and dignity. It is further submitted that petitioner works
with the Railways. It is also submitted that it absolutely does not
stand to reason that as to why the O.P. No. 2 does not intend to



stay with the petitioner, on which the learned counsel for the O.P. No. 2 submits that petitioner is a drunkard and presently is posted at Chhattisgarh and in drunken condition he assaults her and the child and even does not maintain her and the child properly on account of which the studies of the child was suffering. It is next submitted that the O.P. No. 2 has come back to her parental home where she is staying with her parents and the child is studying in a school.

4. The learned counsel for the petitioner, at this stage, submits that he has instructions to make submission that petitioner in order to establish his *bona fide* is willing to pay a monthly maintenance of Rs. 15,000/- to the O.P. No. 2 but then the said maintenance shall be subject to the maintenance fixed by a Court of competent jurisdiction in the event if the O.P. No. 2 files a maintenance case.

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 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 01.04.2024.



6. Considering the submissions made by the learned counsel for the parties, 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. 424C of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. 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, the petitioner does not deposit the monthly maintenance, as agreed, for two consecutive months.

(Satyavrat Verma, J)

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