

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46253 of 2023

Arising Out of PS. Case No.-390 Year-2019 Thana- BEGUSARAI COMPLAINT CASE
District- Begusarai

Atul Kumar S/O Sunil Kumar Chaudhari R/O Village- Rasidpur, Ps.
Bachhwara, Dist. Begusarai

... .. Petitioner/S

Versus

1. The State Of Bihar
2. Annu Kumari W/O Atul Kumar, D/O Arvind Kumar R/O Village- Pidhauri,
Ps. Teghara Dist. Begusarai

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar Singh

For the Opposite Party/s : Mr. Ram Naresh Ray

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 6 18-04-2024 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 offence punishable under Sections 498(A) of
the Indian Penal Code & Sections 3/4 of D.P. Act.
3. Learned counsel for the parties submits that the
case was referred for mediation but then the mediation failed.
4. Learned counsel for the petitioner submits 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
conjugal relationship in the present but then with passage of
time the petitioner and the O.P. No.2 may come together. It is



next submitted that in the event if the petitioner is sent to jail the chances of any future reconciliation shall also become bleak. It is next submitted that the petitioner in order to establish bonafide is willing to pay a monthly maintenance of Rs.3000/- to the O.P. No.2.

5. The learned counsel appearing on behalf of the O.P. No.2 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.3000/- to the O.P No.2. It is next submitted that the bank account number of the O.P No.2 shall be whatsapped on the whats app number of the learned counsel appearing on behalf of the petitioner. 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 01.05.2024.

6. 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 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.390/2019, 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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