

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43606 of 2023

Arising Out of PS. Case No.-1801 Year-2022 Thana- COMPLAINT CASE District- Araria

SHARWAN BHAGAT @ SHARVAN BHAGAT SON OF SRI LALCHAND
BHAGAT RESIDENT OF VILLAGE- RAHIKA TOLA, WARD NO. 18, PS-
ARARIA, DIST- ARARIA

... .. Petitioner/s

Versus

1. The State of Bihar
2. SHWETA DEVI WIFE OF SHARWAN BHAGAT @ SHARVAN BHAGAT
RESIDENT OF VILLAGE- BANGAMA, WARD NO. 11, PS AND DISTT-
ARARIA

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjeet Choubey
For the Opposite Party/s : Mr. Mritunjay Kumar Nirala

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 5 19-03-2024 1. Heard learned counsel for the petitioner and learned
APP for the State along with learned counsel for the O.P. No. 2.
2. The learned counsel for the parties jointly submits
that the case was referred for mediation, but then the mediation
failed.
3. The learned counsel for the petitioner submits that
the relationship has soured to an extent that it is not possible to
revive the conjugal relationship. It is next submitted that
petitioner is willing to pay a monthly maintenance of Rs. 4,000/-
for maintaining the O.P. No. 2 and the child. It is next submitted
that petitioner works in a shop and earns about Rs. 10,000-
12,000/- a month and also has responsibility of his aged parents.



4. The learned counsel for the O.P. No. 2 also concurs with the submissions of the learned counsel for the petitioner and submits that it is not possible presently to revive the conjugal relationship, though with passage of time, the situation may improve. The learned counsel for the O.P. No. 2 next submits that no useful purpose would be served by sending the petitioner to jail as petitioner is willing to give a monthly maintenance of Rs. 4,000/- to the O.P. No. 2. It is next submitted 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 forward the same to the petitioner so that the monthly maintenance, as agreed, commences from 01.04.2024.

5. 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. 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. 1801-C of 2022 subject to the conditions as laid down under Section 438 (2) of the



Cr.P.C.

6. 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 if the petitioner does not deposit the amount of monthly maintenance, as agreed, for two consecutive months.

(Satyavrat Verma, J)

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