

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46593 of 2024

Arising Out of PS. Case No.-570 Year-2023 Thana- AURANGABAD COMPLAINT CASE
District- Aurangabad

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Deepak Kumar, S/o Naresh Sav R/o vill - Jhaphiya Tand, Khadiha, P.S. -
Naudiha, Distt. - Palamu (Jharkhand)

... .. Petitioner/s

Versus

1. The State of Bihar
2. Madhu Kumari, W/o Deepak Kumar R/o Jhaphiya tand, Khadiha, P.S. -
Naudiha, Distt. - Palamu (Jharkhand), D/o Bhuneshwar Sao, at present
residing at vill - Karma Bhagwan, P.S. - Mufassil, Distt. - Aurangabad
(Bihar)

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Ms. Leelawati Kumari Mr. Aman Vishal
For the Opposite Party/s	:	Mr. Shailendra Kumar Singh Mr. Yogendra Kumar Singh Mr. Ratneshwar Prasad Mr. Avinash

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 09-09-2024 1. Heard learned counsel for the petitioner, the

learned counsel appearing on behalf of the complainant and

learned APP for the State.

2. The petitioner seeks bail in anticipation of his

arrest in Complaint Case No.570 of 2023 registered for the

offences punishable under Sections 323, 341, 379, 498A,

504 and 506 of the Indian Penal Code and Sections 3 and 4

of the D. P. Act, 1961.

3. The learned counsel for the petitioner submits



that the petitioner, being husband, has been falsely implicated in the instant case by the opposite party no.2. It is further submitted that relationship in between the petitioner and the opposite party 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 and on intervention of well-wishers, the parties may resolve their dispute.

4.The learned counsel for the petitioner further submits that she has instructions of the petitioner to submit that petitioner is aware of his responsibility as husband and is willing to pay a monthly maintenance of Rs.4,000/- (four thousand) to the opposite party no.2, which shall commence from 23.09.2024.

5.The learned counsel appearing on behalf of the opposite party no.2 also submits that no useful purpose would be served by sending the petitioner to jail, when petitioner is willing to pay a monthly maintenance of Rs.4,000/- to the opposite party no.2. It is also submitted that may be with passage of time, the parties may resolve



their dispute. It is further submitted that bank account number of the opposite party no.2 shall be whats-app on the whats-app number of the learned counsel appearing on behalf of the petitioner and 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 23.09.2024

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, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs.5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, First Class, Aurangabad in connection with Complaint Case No.570 of 2023, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

8. However, it is made clear that the opposite party no.2 shall be at liberty to file an application seeking



cancellation of anticipatory bail granted to the petitioner, in the event, if the petitioner does not pay the monthly maintenance as agreed for two consecutive months.

9. It is further made clear that the present maintenance will stop, the moment maintenance is fixed by a Court of competent jurisdiction.

(Satyavrat Verma, J)

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