

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.44857 of 2023**

Arising Out of PS. Case No.-617 Year-2022 Thana- GAYA COMPLAINT CASE District-  
Gaya

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CHANDAN SHARMA @ CHANDAN KUMAR @ CHANDAN KUMAR  
SHARMA son of Late Saroj Kumar Sharma @ Saroj Sharma Village-  
Govindpur Ps- Govindpur Dist- Nawada

... .. Petitioner/s

Versus

1. The State of Bihar
2. KAJAL DEVI wife of Chandan Sharma Village- Jamheta Ps- Fatehpur Dist-  
Gaya

... .. Opposite Party/s

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**Appearance :**

|                          |   |                                              |
|--------------------------|---|----------------------------------------------|
| For the Petitioner/s     | : | Mr. Deepak Kumar                             |
| For the Opposite Party/s | : | Mr. Binod Kumar                              |
| For the O.P. No. 2       | : | Mr. Ranjeet Kumar Pandey<br>Mr. Rajesh Kumar |

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**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

5      22-03-2024                      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 O.P. No. 2 submits that  
  
an affidavit on behalf of the O.P. No. 2 has been filed online on  
  
21.03.2024 and a hard copy of the same has also been filed in  
  
the Registry.

3. In the nature of controversy as had arisen in the  
  
Court proceedings at the time of submission, based on which the  
  
affidavit has been filed on behalf of the O.P. No. 2, the Court  
  
deems it proper that the affidavit filed on behalf of the O.P. No.



2 be returned to the learned counsel appearing on behalf of the O.P. No. 2.

4. The learned counsel appearing on behalf of the O.P. No. 2 submits that presently the O.P. No. 2 is not in a frame of mind to accompany the petitioner to her matrimonial home along with her child on which the learned counsel for the petitioner submits that time is the best healer, with time the situation may improve and the petitioner in order to establish his *bona fide* is willing to pay a monthly maintenance of Rs. 8,000/- to the O.P. No. 2 and the child, on which the 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 forward the same to the petitioner so that the monthly maintenance, as agreed, commences from 01.04.2024.

5. In view of the joint 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. 617 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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