

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48702 of 2024

Arising Out of PS. Case No.-611 Year-2023 Thana- MUZZFARPUR COMPLAINT CASE
District- Muzaffarpur

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Raghvendra Shah @ Raghvendra Kumar Son Of Jawahar Sah @ Jawahar Lal
Sha Resident Of Village - Kanti, P.S. - Lalganj, District - Vaishali

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Mamta Kumari W/O- Raghvendra Sah, D/O- Asharfilal Sah Resident Of
Village - Bahilbara Rupnath, P.S. - Saraiya, District - Muzaffarpur

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Hemant Kumar

For the Opposite Party/s : Mr.Nityanand

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 12-09-2024 **1.** Heard learned counsel for the petitioner and

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

No. 2.

2. The petitioner apprehends his arrest in a case

registered for the offences punishable under Sections 323 and

498A of the Indian Penal Code read with Sections 3 and 4 of the

Dowry Prohibition Act.

3. The learned counsel for the petitioner submits that

petitioner, being husband, has been falsely implicated in the

instant case by the OP No. 2. It is also submitted that the

relationship in between the petitioner and the OP No. 2 has

soured to an extent where it is not possible to revive the



conjugal relationship and the petitioner has also filed a divorce case but then submits that petitioner, being husband, is aware of his responsibility and is willing to pay a monthly maintenance of Rs. 4,000/- to the OP No. 2 which shall commence from 30-9-2024. It is further submitted that petitioner works as a labourer.

4. The learned counsel appearing on behalf of the OP No. 2 fairly submits that no useful purpose would be served by sending the petitioner to jail as he is willing to pay a monthly maintenance of Rs. 4,000/- to the OP No. 2. It is further submitted that he will WhatsApp the bank account number of the OP 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 commences from 30-9-2024.

5. Considering the submission made by the learned counsel for the parties, 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 court below where the case is



pending/successor court in connection with Complaint Case No. 611 of 2023 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

6. However, it is made clear that OP 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 monthly maintenance as agreed for two consecutive months.

(Satyavrat Verma, J)

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