

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51438 of 2023

Arising Out of PS. Case No.-615 Year-2022 Thana- PATNA COMPLAINT CASE District-
Patna

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Amod Kumar @ Amod Kumar Ray @ Aamod Kumar Rai Son Of Amarnath
Ray Resident Of Village- Chapta, Po- Maharathi Dharmchand, Ps- Tisiauta,
Distt- Vaishali.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Shobha Kumari Daughter Of Brijnandan Singh Yadav Resident Of Village-
Alampur, Ps- Barh, Distt- Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Satya Prakash Sinha, Advocate
For the Opposite Party/s	:	Mr.Sunil Kumar Pandey, APP
For the O.P. No.2	:	Mr. Ashok Kumar Kashyap, Advocate

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 4 05-03-2024 1. Heard learned counsel for the petitioner, learned
APP for the State along with learned counsel for the O.P. No.2.
2. The petitioner seeks bail in anticipation of his
arrest in a case registered for the offences punishable under
Sections 323, 498A/34 of the IPC.
3. The learned counsel for the petitioner submits that
the case was referred for mediation for settling the dispute in
between the parties, but then the mediation proceedings failed.
4. It is further submitted that the relationship of the
petitioner with the O.P. No.2 had shard to an extent that it is not
possible to revive the conjugal relationship. The said submission
of the learned counsel appearing on behalf of the petitioner is



not disputed by the learned counsel appearing on behalf of the O.P. No.2.

5. At this stage, the learned counsel for the petitioner submits that he has instructions to make submission on behalf of the petitioner that since till date O.P. No.2 is wife of the petitioner and the marriage is subsisting as such the petitioner is willing to pay a monthly maintenance of Rs.4000/- to the O.P. No.2 towards her maintenance.

6. 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 communicate the same to the petitioner so that the monthly maintenance as agreed commences from 01.04.2024.

7. 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 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.5000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Complaint Case No.615(C) of 2022,



subject to the conditions laid down under Section 438(2) of the Cr.P.C.

8. However, it is made clear that 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 petitioner does not deposit the monthly maintenance as agreed for two consecutive months.

9. The application stands allowed.

(Satyavrat Verma, J)

Prakash Narayan

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