

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50118 of 2023

Arising Out of PS. Case No.-277 Year-2021 Thana- BAHERA District- Darbhanga

Shrawan Kumar Jha @ Shrawan Kumar Son Of Vidyanand Jha Resident Of
Village- Haripur, Ps- Bahera, Dist- Darbhanga

... .. Petitioner/S

Versus

1. The State Of Bihar
2. Arpana Devi Wife Of Shrawan Kumar Jha @ Shrawan Kumar Resident Of
Village- Haripur, Ps- Bahera, Dist- Darbhanga. At Present Address, Resident
Of Village- Habibhaur, Ps- Bahera, Dist- Darbhanga

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sameer Ranjan
For the Opposite Party/s : Mr. Ravindra Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 4 30-04-2024 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State Mr. Ravindra Kumar along with learned
counsel appearing on behalf of the O.P. No.2.
2. The petitioner apprehends his arrest in a case
registered for the offence punishable under Sections 498A, 494
and 34 of the Indian Penal Code.
3. Learned counsel for the parties jointly submits that
the case was referred for mediation by an order dated
13.12.2023 before the District Mediation and Conciliation
Centre, Darbhanga. It is next submitted that the mediation
proceeding failed.
4. Learned counsel for the petitioner submits that



presently the relationship in between the petitioner and the O.P. No.2 has deteriorated to an extent where it is not possible to revive the conjugal relationship but then in future the parties may reconcile, as such, no useful purpose would be served by sending the petitioner to jail which may mar the chance of future reconciliation. It is also submitted based on instruction that the petitioner is willing to pay a monthly maintenance of Rs.4000/- to the O.P. No.2, which shall commence from 06.05.2024.

5. The learned counsel appearing on behalf of the O.P. No.2 fairly submits that no useful purpose would be served by sending the petitioner to jail since the petitioner is willing to pay a monthly maintenance of Rs.4000/- to the O.P No.2. It is next submitted that the bank account number of the O.P No.2 shall be whatsapped on the whats app number of the learned counsel appearing on behalf of the petitioner. 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 06.05.2024.

6. Considering the submissions made by the learned counsels 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 trial court where the case is pending/successor court in connection with Bahera P.S. Case No.277/2021, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. However, the 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 the petitioner does not deposit the amount of maintenance, as agreed, for two consecutive months.

(Satyavrat Verma, J)

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