

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50441 of 2023

Arising Out of PS. Case No.-3 Year-2023 Thana- MAHILA P.S. District- Saran

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Akash Ranjan @ Akash Ranjan Singh, Son of Uday Pratap Singh @ Uday Singh Resident of Mohalla-Purani Bazar, Marhowrah, Police Station-Marhowra, District-Saran

... .. Petitioner/s

Versus

1. The State Of Bihar
2. ALKA DEVI W/o Akash Ranjan @ Akash Ranjan Singh, D/o Late Chandeshwar Singh Resident of Mohalla-Purani Bazar, Marhowrah, Police Station-Marhowra, District-Saran. At present residing at village-Sahosarai, Police Station-Garkha, District-Saran

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dr. Rajesh Kumar Singh, Advocate
For the Opposite Party/s : Mr.Suresh Prasad Singh, APP

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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 341, 323, 498(A), 494 of the IPC and Section 3 and 4 of the D.P. Act.
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.
5. It is further submitted based on instruction that



petitioner is willing to pay a monthly maintenance of Rs.7000/- to the O.P. No.2 towards her maintenance.

6. The learned counsel for the O.P. No.2 submits that O.P. No.2 is presently is staying at her parental home with her daughter. It is also submitted that she is in such a pitiable financial condition that she has no option but to accept the maintenance amount as being offered by the petitioner.

7. It is next submitted that O.P. No.2 have also filed a maintenance case being Maintenance Case No.58 of 2023 which is pending adjudication in the court of learned Principal Judge, Family Court, Saran at Chapra.

8. At this stage, the learned counsel appearing on behalf of the petitioner undertakes to communicate to the petitioner to appear in Maintenance Case No.58 of 2023 which is pending adjudication in the court of learned Principal Judge, Family Court, Saran at Chapra.

9. 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 18.03.2024.



10. 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.10,000/- (Rupees Ten 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 Saran Mahila P.S. Case No.03 of 2023, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

11. 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.

12. However, it is further made clear that the present maintenance will stop when the Maintenance Case No.58 of 2023 is decided by the learned court of competent jurisdiction.

13. The application stands allowed.

(Satyavrat Verma, J)

Prakash Narayan

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