

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53969 of 2024

Arising Out of PS. Case No.-796 Year-2018 Thana- SAMASTIPUR COMPLAINT CASE
District- Samastipur

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Ranjit Kumar @ Ranjeet Choudhary S/O Abhiram Choudhary @ Aviram Choudhary R/O Village- Kolhanta Patori, P.S- Moro Baswara, Distt.- Darbhanga (BIHAR).

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Shilpi Kumari W/O Ranjit Kumar @ Ranjeet Choudhary And D/O Vinay Kumar Sharma At Present Residing At Village- Bishambharpur Elouth, P.S- Musrighari, Distt.- Samastipur (BIHAR).

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Mr. Vinay Kumar Mishra, Advocate
For the Opposite Party/s :	Mr. Kanhiya Kishor, APP
	Mr. Kedar Jha, Advocate

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 29-08-2024 Heard learned counsel for the petitioner, learned APP for the State and the learned counsel appearing on behalf of 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 498(A) of the IPC in connection with Complaint Case No.796 of 2018.

3. The learned counsel appearing on behalf of the submits that petitioner being husband has been falsely implicated in the case by the O.P. No.2. It is further submitted that presently the relationship in between the petitioner and the O.P. No.2 has soured to an extent where it is not possible to



revive the conjugal relationship, but then in future the parties may on intervention of well wishers resolved the dispute, it is next submitted that petitioner is a labourer and is willing to pay a monthly maintenance of Rs.4000/- to the O.P. No.2 and the child.

4. The learned appearing on behalf of the O.P. No.2 submits that since petitioner is willing to pay a monthly maintenance of Rs.4000/-, as such no useful purpose would be served by sending the petitioner to jail.

5. It is further submitted that the bank account number of the O.P. No.2 shall be whatsapped on the whatsapp number of the learned counsel appearing on behalf of the petitioner and 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 09.09.2024.

6. Considering the submissions made by the learned counsel for the petitioner, 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 Judicial Magistrate, Ist Class, Samastipur in connection with Complaint Case No.796 of 2018, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. 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 give/deposit the amount of Rs.4000/- to the O.P. No.2 for two consecutive months. It is further made clear that the present maintenance will stop, in the event, if a court of competent jurisdiction fixes the maintenance.

8. The application stands allowed.

(Satyavrat Verma, J)

Prakash Narayan

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