

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53564 of 2024

Arising Out of PS. Case No.-1882 Year-2022 Thana- VAISALI COMPLAINT CASE
District- Vaishali

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Vishal Kumar @ Vishal S/o Anil Singh @ Anil Kumar Singh R/o vill - Pokhra
Jalalpur Market, P.S. - Kopa, Distt. - Saran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Moni Kumari W/o Vishal Kumar @ Vishal, D/o Late Awdhesh Singh R/o vill - Pokhra Market, P.S. - Kopa, Distt. - Saran and Presently R/o vill - Singhra Buzurg, P.S. - Mahua, Distt. - Vaishali

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Mr.Ravish Mishra, Advocate
For the Opposite Party/s :	Ms.Sucheta Yadav, APP
	Ms. Rina Sinha, Advocate

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 14-08-2024 Heard learned counsel for the petitioner, learned APP
and the learned counsel appearing on behalf of the complainant.

2. The petitioner seeks bail in anticipation of his arrest in a case registered for the offences punishable under Sections 323 and 498(A) of the IPC in connection with Complaint Case No.1882 of 2022.

3. The learned counsel for the petitioner submits that petitioner being husband has been falsely implicated in the instant case by the complainant. It is also submitted that relationship in between petitioner and the complainant had soured to an extent where it is not possible to revive the conjugal relationship and petitioner has also filed divorce case.



4. It is next submitted that petitioner is aware of his responsibilities towards the complainant who till now is his wife, as such based on instruction submits that petitioner is willing to pay a monthly maintenance of Rs.5000/- to the O.P. No.2 which shall commence from 02.09.2024.

5. The learned counsel appearing on behalf of the O.P. No.2 also submits that since petitioner is willing to pay a monthly maintenance of Rs.5000/-, as such no useful purpose would be served by sending the petitioner to jail.

6. It is next 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 for the petitioner undertakes to communicate the same to the petitioner, so that the monthly maintenance as agreed commences from 02.09.2024.

7. 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.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Vaishali at



Hajipur in connection with Complaint Case No.1882 of 2022,
subject to the conditions laid down under Section 438(2) of the
Cr.P.C.

8. However, it is made clear that the O.P. No.2 shall
be at liberty to file an application before this Court seeking
cancellation of the anticipatory bail of the petitioner, in the
event if the petitioner does not pay the monthly maintenance as
agreed for two consecutive months.

9. The application stands allowed.

(Satyavrat Verma, J)

Prakash Narayan

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