

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51307 of 2023

Arising Out of PS. Case No.-991 Year-2022 Thana- PATNA COMPLAINT CASE District-
Patna

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ANAND KUMAR SON OF PURUSHUTAM SINGH RESIDENT OF
VILLAGE- PARSAN BIGHA, PS- SAHAJAH PUR, DISTT- PATNA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Sanju Singh, Advocate

For the Opposite Party/s : Mr. Madhura Nand Jha, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 4 10-09-2024 1. Heard learned counsel for the petitioner, learned
A.P.P. for the State and the learned counsel appearing on behalf
of the complainant.
2. The petitioner apprehends his arrest in a case in
which cognizance was taken under Section 498A of the Indian
Penal Code.
3. The learned counsel for the petitioner submits that
the petitioner, being husband, has been falsely implicated in the
instant case by the complainant. It is further submitted that
relationship in between the petitioner and the complainant has
soured to an extent where it is not possible to revive the
conjugal relationship in the present, but then, with passage of
time and on intervention of well-wishers, the parties may



resolve their dispute.

4. The learned counsel for the petitioner further submits that she has instructions of the petitioner to submit that petitioner is aware of his responsibility as husband and is willing to pay a monthly maintenance of Rs.5,000/- (five thousand) to the complainant, which shall commence from 23.09.2024.

5. The learned counsel appearing on behalf of the complainant submits that no useful purpose would be served by sending the petitioner to jail, when petitioner is willing to pay a monthly maintenance of Rs.5,000/- to the complainant. It is also submitted that may be with passage of time, the parties may resolve their dispute. It is further submitted that bank account number of the complainant shall be whats-app on the whats-app 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 23.09.2024.

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 from today, be released on anticipatory bail on furnishing bail bonds of Rs.5,000/- (Rupees Ten 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 Complaint Case No. 991 of 2022, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. The application stands allowed.

8. However, it is made clear that the complainant shall be at liberty to file an application seeking cancellation of anticipatory bail granted to the petitioner, in the event, if the petitioner does not pay the monthly maintenance as agreed for two consecutive months.

9. It is further made clear that the present maintenance will stop, the moment maintenance is fixed by a Court of competent jurisdiction.

(Satyavrat Verma, J)

Prakash/-

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