

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54876 of 2023

Arising Out of PS. Case No.-168 Year-2022 Thana- PATNA COMPLAINT CASE District-
Patna

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ATENDRA KUMAR @ SATENDRA KUMAR @ SATYENDRA KUMAR
S/O UPENDRA PRASAD RESIDENT OF VILLAGE- MATAUDHA, P.S-
MASAURAH, DISTRICT- PATNA.

... .. Petitioner/s

Versus

1. The State of Bihar
2. PUNAM KUMARI D/O TULSI PRASAD R/O VILLAGE- NADAUL, P.S-
MASAURHI, DISTT.- PATNA.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satish Chandra, Advocate
For the Opposite Party/s : Ms. Pronoti Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 6 24-07-2024 1. Heard learned counsel for the petitioner, learned
A.P.P. for the State and learned counsel appearing on behalf of
the opposite party no. 2.
2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 498(A),
323, 506, 379 and 504/34 of the Indian Penal Code as well as
Sections 3 and 4 of the Dowry Prohibition Act.
3. Learned counsel for the petitioner submits that the
case was referred for mediation but then the mediation
proceeding failed. It is further submitted that the relationship in
between the petitioner and the opposite party no. 2 has
deteriorated to an extent where it is not possible at the present to
revive the conjugal relationship but may be with passage of time



on intervention of well-wishers, the parties may reconcile the dispute.

4. Learned counsel for the petitioner based on instruction submits that petitioner, in order to establish his bona fide, is willing to pay a monthly maintenance of Rs.7,000/- to the opposite party no. 2.

5. Learned counsel appearing on behalf of the opposite party no. 2 submits that no useful purpose would be served by sending the petitioner to jail since he is willing to pay a monthly maintenance of Rs.7,000/- for the present. It is further submitted that opposite party no. 2 is presently staying at her parental home with her child.

6. Learned counsel for the opposite party no. 2 submits that the bank account number of the opposite party no. 2 shall be furnished 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 01.08.2024.

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 from today, be released on anticipatory bail on furnishing bail bonds 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/successor court in connection with Complaint Case No. 168(C) of 2022, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

8. However, the opposite party no. 2 shall be at liberty to file an application seeking cancellation of the anticipatory bail granted to the petitioner in the event the petitioner does not pay the amount of maintenance as agreed for two consecutive months.

9. It is made clear that the present maintenance will be stopped in the event maintenance case, if any, filed by the opposite party no. 2 is decided by a Court of competent jurisdiction.

(Satyavrat Verma, J)

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