

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.57710 of 2023**

Arising Out of PS. Case No.-200 Year-2023 Thana- BEGUSARAI COMPLAINT CASE  
District- Begusarai

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Hitesh Kumar Kushwaha @ Hitesh Kumar Son Of Ramadhar Prasad Singh  
Resident Of Village- Nonpur, P.S.- Teghra, District- Begusarai

... .. Petitioner/s

Versus

1. The State of Bihar
2. Kanchan Kumari W/O Hitesh Kumar Resident Of Village- Nonpur, P.S.-  
Teghra, District- Begusarai Presently Residing At Vill.- Dharampur, P.O.  
And P.S. Gadhpura, District- Begusarai

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Kumar Binode Bariar  
For the Opposite Party/s : Mr.Nand Kumar

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**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
ORAL ORDER

5      05-04-2024                      1.    Heard learned counsel for the petitioner and  
  
learned A.P.P. for the State along with learned counsel for the  
  
OP No. 2.

                                                 2.    The petitioner apprehends his arrest in a case  
  
registered for the offences punishable under Section 498A of the  
  
Indian Penal Code.

                                                 3.    The learned counsel for the petitioner submits that  
  
the relationship in between the petitioner and OP No. 2 has been  
  
strained to an extent where it is not possible to revive the  
  
conjugal relationship and as such even the mediation  
  
proceedings failed. It is next submitted that the petitioner has  
  
instructions to make submissions that the petitioner is willing to



pay a monthly maintenance of Rs. 5,000/- (Five Thousand) to the OP No. 2, on which the learned counsel appearing on behalf of the OP No. 2 submits that no useful purpose would be served by sending the petitioner to jail, since petitioner is willing to maintain the OP No. 2.

4. The learned counsel for the OP No. 2 submits that he will WhatsApp the bank account number of the OP No. 2 on the WhatsApp number of the learned counsel for the petitioner and the learned counsel for the petitioner undertakes to forward the same to the petitioner so that the monthly maintenance commences from 15-4-2024.

5. 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 trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 5,000/- (Rupees Five 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. 200C/2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

6. However, it is made clear that OP No. 2 shall be at



liberty to file an application before this court seeking cancellation of the anticipatory bail granted to the petitioner, in the event if the petitioner does not deposit the monthly maintenance as agreed for two consecutive months.

7. It is further made clear that the present maintenance amount would be subject to the maintenance being decided by a court of competent jurisdiction.

(Satyavrat Verma, J)

SUMIT/-

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