

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53441 of 2023

Arising Out of PS. Case No.-1151 Year-2022 Thana- NAWADAH COMPLAINT CASE
District- Nawada

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DEEPAK KUMAR SON OF DEVI YADAV RESIDENT OF VILLAGE -
TETARIYA, POLICE STATION - CHANDRADEEP, DISTRICT - JAMUI

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. PUJA KUMARI WIFE OF DEEPAK KUMAR, DAUGHTER OF PRAYAG
YADAV RESIDENT OF VILLAGE - GOYATHA DIH, POLICE STATION
- ROH, DISTRICT - NAWADA

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Deepak Kumar
For the Opposite Party/s : Ms. Asha Kumari

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 06-03-2024 1. Heard learned counsel for the petitioner and

learned A.P.P. for the State along with learned counsel for the

O.P. No. 2.

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

3. Learned counsel for the petitioner submits that the
case was referred for mediation but then the mediation
proceedings failed. It is next submitted that though petitioner is
still willing to keep the O.P. No. 2 and the child with honour and
dignity, but then the O.P. No. 2 has her own terms and
conditions. It is further submitted that petitioner is a driver and



earns about Rs. 8000-10,000/-. It is further submitted that petitioner is willing to pay a monthly maintenance of Rs. 4,500/- to the O.P. No. 2 on which the learned counsel appearing on behalf of the O.P. No. 2 submits that he will *Whatsapp* the bank account number of the O.P. No. 2 on the *Whatsapp* number of the learned counsel for 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 01.04.2024.

4. Considering the submissions made by the learned counsel for the parties, 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. 1151 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

5. 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 granted to the petitioner in the event, the petitioner does not deposit the monthly



maintenance, as agreed, for two consecutive months.

6. It is further made clear that the moment a Court of competent jurisdiction fixes the maintenance, in that event the present maintenance will stop.

(Satyavrat Verma, J)

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