

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58463 of 2023

Arising Out of PS. Case No.-803 Year-2021 Thana- SARAN COMPLAINT CASE District-
Saran

=====

BIPIN KUMAR BAITHA S/O NAGESHWAR BAITHA R/O VILLAGE-
KAKRAHAT, P.S- DERNI, DISTT.- SARAN AT CHAPRA.

... .. Petitioner/s

Versus

1. The State of Bihar
2. MINTA DEVI W/O BIPIN BAITHA, D/O TUNTUN BAITHA R/O
VILLAGE- MESHRAWALIYA, P.S- JALALPUR, DISTT.- SARAN AT
CHAPRA, PRESENT ADDRESS- KHAIRPUR BORING ROAD NEAR
LAKSHMI MANDIR PIPE ROAD PARI NO-786, KOLKATA-27.

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Rajani Kumari
For the Opposite Party/s : Mr.Shyam Bihari Singh

=====

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 22-03-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. Since the O.P. No.2 has refused to accept the
registered cover notice, as such the notice is to have been
validly served.

3. The petitioner seeks bail in anticipation of his arrest
in a case registered for the offences punishable under Sections
323, 498(A), 494 of the Indian Penal Code and Section 3/4 of
D.P. Act.

4. Learned counsel for the petitioner submits that the
petitioner being the husband and falsely implicated in the instant



case and it is also submitted that the petitioner is always willing to keep the informant with honour and dignity and at para No.7, it has been specifically asserted that the petitioner is ready to keep the complainant with honour and dignity. It is next submitted that the allegation of the complainant that petitioner has performed his second marriage is vehemently rebutted. Learned counsel for the petitioner further submits that she has instruction to make submission that petitioner in order to establish his bona fide willing to pay a monthly maintenance of Rs. 3,000/- to the complainant which shall commence from 01.04.2024.

5. The learned A.P.P. in view of the submissions made by learned counsel for the petitioner also does not oppose the anticipatory bail application.

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 withing 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 S.D.J.M., Saran at Chapra, in connection with Complaint Case No. 803 of 2023, subject to the



conditions laid down under Section 438(2) of the Cr.P.C.

7. 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.

8. The applications stands allowed.

(Satyavrat Verma, J)

sanjeev/-

U		T	
---	--	---	--

