

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58446 of 2024

Arising Out of PS. Case No.-318 Year-2023 Thana- MADHUBANI COMPLAINT CASE
District- Madhubani

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Raj Kumar @ Raju Das S/O Lal Babu Das R/O Village- Raipur, Ward No.8,
Koria, P.S- Nanpur, Distt.- Sitamarhi.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Renu Kumari D/O Anit Mandal R/O Village- Samda, P.S- Benipatti, Distt.-
Madhubani.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Ashok Kumar Jha, Advocate
For the State	:	Ms. Pushpa Sinha-1, A.P.P.
For the Complainant	:	Mr. Gagan Deo Yadav, Advocate
		Mr. Vinod Kumar, Advocate
		Mr. Rajesh Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 16-12-2024 1. Heard learned counsel for the petitioner, learned
A.P.P. for the State and learned counsel appearing on behalf of
the complainant/opposite party no. 2.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 498(A) 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
petitioner, being the husband, has been falsely implicated in the
instant case by the complainant. It is further submitted that the
relationship in between the petitioner and the complainant has
soured to an extent where it is not possible to revive the



conjugal relation for the present but with passage of time and on intervention of well-wishers, the parties may resolve their dispute. It is next submitted that petitioner is willing to pay a monthly maintenance of Rs.4,500/- to the complainant which shall commence from 31.12.2024.

4. Learned counsel appearing on behalf of the complainant also fairly 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.4,500/-. It is further submitted that if petitioner is sent to judicial custody, the chances of future reconciliation shall also get marred.

5. Learned counsel appearing on behalf of the complainant submits that he will WhatsApp the bank account number of the complainant 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 31.12.2024.

6. Learned A.P.P. for the State is present.

7. After hearing the learned counsel for the parties, let 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 Five 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. 318 of 2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

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

9. It is further made clear that if a court of competent jurisdiction fixes the maintenance in that event the present maintenance shall stop.

(Satyavrat Verma, J)

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