

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56463 of 2023

Arising Out of PS. Case No.-186 Year-2022 Thana- GAYA COMPLAINT CASE District-
Gaya

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DEVENDRA PASWAN son of Lakhan Paswan Village- Bela Ps- Mohanpur
Dist- Gaya

... .. Petitioner/s

Versus

1. The State of Bihar
2. PUJA KUMARI wife of Devendra Paswan, D/o- Vijai Paswan Mohalla-
Madanpur Dak Baba Ps- Vishnupad Dist- Gaya

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Tabish Sharfuddin

For the Opposite Party/s : Ms. Gulnar Begum

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 05-03-2024 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, 323
and 341 of the Indian Penal Code read with Sections 3 and 4 of
the Dowry Prohibition Act.

3. Learned counsel for the petitioner submits that the
case was referred to mediation for settling the disputes, but then
the mediation failed. It is next submitted that the relationship
between the petitioner and the O.P. No. 2 has soured to an extent
that it is not possible to revive the conjugal relationship. The



said submission of the learned counsel appearing on behalf of petitioner is not disputed by the learned counsel appearing on behalf of the O.P. No. 2.

4. At this stage, the learned counsel for the petitioner submits that he has instructions to make submission that petitioner is willing to pay a monthly maintenance of Rs. 5,000/- to the O.P. No. 2 which shall commence from 18.03.2024.

5. Learned counsel for 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 forward the same to the petitioner so that the amount, as agreed, commences from 18.03.2024.

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. 10,000/- (Rupees Ten 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. 186 of 2022 subject to the conditions as laid down under



Section 438 (2) of the Cr.P.C.

6. 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.

7. It is further made clear that the present maintenance will stop in the event if a Court of competent jurisdiction fixes the maintenance in favour of the O.P. No. 2.

(Satyavrat Verma, J)

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