

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55803 of 2022

Arising Out of PS. Case No.-511 Year-2021 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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Ganesh Kumar S/O Ram Pukar Rai Resident Of Village- Balabhadrapur,
Dudhpura, P.S.- Mufassil, District- Samastipur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Varsha Kumari D/O Rajneti Singh Resident Of Village- Lakho, P.S.-
Muffasil, District- Begusarai

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pankaj Kumar

For the Opposite Party/s : Mr.Md. Nazir Ansari

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 4 04-03-2024 1. Heard learned counsel for the petitioner, 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 Sections 341, 323
and 498A of the Indian Penal Code.
3. The petitioner and the OP No. 2, in compliance of
the order dated 27-2-2024, are present in the court along with
their respective learned counsels.
4. The learned counsel for the petitioner submits that
the relationship in between the petitioner and the OP No. 2 has
soured to an extent that now it is not possible to revive the
conjugal relationship. The said submission of the learned



counsel for the petitioner is not disputed by the learned counsel for the OP No. 2, but then the learned counsel for the petitioner submits on instruction of the petitioner that petitioner is willing to pay a monthly maintenance of Rs. 7,000/- to the OP No. 2 on which the learned counsel appearing on behalf of 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 communicate the same to the petitioner so that the monthly maintenance as agreed commences from 18-3-2024.

5. The learned counsel for the OP No. 2 submits that OP No. 2 has already filed a maintenance case which is pending adjudication in the court of learned Principal Judge, Family Court, Begusarai. It is next submitted that petitioner, despite being aware that a maintenance case has been filed, is not appearing in the case on which the petitioner, who is present in the court, submits that he will appear in the maintenance case No. 519 of 2019 pending in the court of learned Principal Judge, Family Court, Begusarai within ten days from today. The petitioner further submits that presently he is staying in Delhi in the house of Ravi Kumar Gupta, House No. S 692, Shakarpur School Block, New Delhi, PIN-110092.



6. 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 Begusarai Mufassil P.S. Case No. 511 of 2021, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. However, it is made clear that the OP No. 2 shall be at liberty to approach this court by filing an application seeking cancellation of anticipatory bail granted to the petitioner in the event, the petitioner does not deposit the monthly maintenance as agreed for two consecutive months.

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

(Satyavrat Verma, J)

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