

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59822 of 2023

Arising Out of PS. Case No.-995 Year-2018 Thana- NALANDA COMPLAINT CASE
District- Nalanda

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NITIN KUMAR @ NITIN KUMAR THAKUR son of Mahendra Thakur
Village- Multan Nagar Gali-5, Balpat Road, Meerut Ps- Meerut Dist- Meerut
U.P P/A- Baghatila Ps- Belchhi Dist- patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Veena Kumari wife of Nitin Kumar @ Nitin Kumar Thakur, D/o- Brijnandan Thakur Village- Sakidpur Mobarakpur Ps- Harnaut Dist- Nalanda

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sudish Kumar
For the Opposite Party/s : Mr.Mritunjay Kumar Nirala

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

5 08-04-2024 1. Heard learned counsel for the petitioner and

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 Section 498A of the

Indian Penal Code and Sections 3 and 4 of the D.P. Act.

 3. Learned counsels for the parties jointly submit that

the case was referred for mediation, but then the mediation

failed.

 4. Learned counsel for the petitioner submits that the

relationship in between the petitioner and the OP No. 2 has

strained to an extent where it is not possible for the present to



revive the conjugal relationship but then petitioner is willing to pay monthly maintenance of Rs. 5,000/- (five thousand) to the OP No. 2 and the child.

5. Learned counsel appearing on behalf of OP No. 2 fairly submits that no useful purpose would be served by sending the petitioner to jail as he is willing to pay a monthly maintenance of Rs. 5,000/- to the OP No. 2.

6. It is also submitted that with passage of time the wounds may heal; and the petitioner and the OP No. 2 may again come back together.

7. The learned counsel for 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 learned counsel for the petitioner undertakes to forward the same to the petitioner so that the monthly maintenance commences from 22-4-2024.

8. 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. 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. 995(c) of 2018, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

9. However, it is made clear that OP 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 if the petitioner does not deposit the monthly maintenance as agreed for two consecutive months.

(Satyavrat Verma, J)

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