

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58837 of 2023

Arising Out of PS. Case No.-1034 Year-2022 Thana- MADHUBANI COMPLAINT CASE
District- Madhubani

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SANTOSH KUMAR THAKUR Son of Yogendra Thakur R/o Vill - Bhalni
Ward No. 03, P.S. - Kaluahi, Distt. - Madhubani

... .. Petitioner/s

Versus

1. The State of Bihar
2. Guriya Kumar @ Mamta Wife of Santosh Kumar Thakur, D/o Shree Shambhu Thakur R/o vill - Narar ward no. 2, P.s. - Kaluahi, Dist. - Madhubani Pin Code 847226

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravi Prakash
For the Opposite Party/s : Mr. Umeshanand Pandit

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 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 342, 323, 379, 498A, 354(B), 509, 377, 309 and 34 of the Indian Penal Code read with Sections 3 and 4 of the Dowry Prohibition Act.

3. 3. Learned counsel for the petitioner submits that the case was referred for mediation for settling the disputes, but then the mediation proceedings 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, however, it is submitted based on instruction that petitioner is willing to pay a monthly maintenance of Rs. 6,000/- which shall commence from 18.03.2024 on which the learned counsel appearing on behalf of the O.P. No. 2 submits that he has instructions to make submission that in the event if the petitioner is willing to pay a monthly maintenance of Rs. 6,000/- in that event not to oppose the anticipatory bail application. It is also submitted 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 communicate the same to the petitioner so that the monthly maintenance, as agreed, commences from 18.03.2024.

4. 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 C.R. Case No. 1034 of 2022 subject to the conditions as laid down under



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

5. However, it is made clear that O.P. No. 2 shall be at liberty to file an application seeking cancellation of the anticipatory bail granted to the petitioner in the event the petitioner does not pay the monthly maintenance as agreed for two consecutive months.

(Satyavrat Verma, J)

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