

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61352 of 2024

Arising Out of PS. Case No.-1156 Year-2023 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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Devendra Bhagat @ Devendra Kumar S/o- Munshilal Bhagat R/O-Manjhi
Chapra P.S- Chakia Dist- East Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Anuja Devi Wife of Devendra Bhagat R/v- Manjhi Chapra Ps- Chakia Dist-
East Champaran

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anuj Kumar

For the Opposite Party/s : Mr.Shantanu Kumar

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 17-12-2024 1. Heard learned counsel for the petitioner and

learned A.P.P. for the State along with learned counsel for OP

No. 2.

2. The petitioner apprehends his arrest in a case

registered for the offences punishable under Sections 147, 148,

149, 307, 498A and 406 of the Indian Penal Code read with

Sections 3 and 4 of the Dowry Prohibition Act.

3. The learned counsel for the petitioner submits that

petitioner, being husband, has been falsely implicated in the

instant case by the OP No. 2. It is next submitted that the

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

soured to an extent where it is not possible to revive the



conjugal relationship, but with passage of time and on intervention of well-wishers, the parties may reconcile their dispute amicably. It is also submitted that petitioner is willing to pay a monthly maintenance of Rs. 4,000/- (Four thousand) to the OP No. 2, which shall commence from 31-12-2024.

4. Learned counsel appearing on behalf of the OP No. 2 submits that no useful purpose would be served by sending the petitioner to jail as chances of future settlement will get marred. It is also submitted that since petitioner is ready to pay a monthly maintenance of Rs. 4,000/- to the OP No. 2 as such OP No. 2 is not opposing the anticipatory bail application.

5. 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 the learned counsel for the petitioner undertakes to communicate the same to the petitioner so that the monthly maintenance as agreed commences from 31-12-2024.

6. Considering the submission 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 court below where the case is pending/successor court in connection with Complaint Case No. 1156 of 2023 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. 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.

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

(Satyavrat Verma, J)

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