

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65788 of 2023

Arising Out of PS. Case No.-366 Year-2021 Thana- SARAN COMPLAINT CASE District-
Saran

=====

KYAMUDDIN @ KYAMUDDIN MANSOORI @ KYAMUDIN Son of
Sabir Mansoori R/o vill - Sahwa, P.S. - Marhowrah, Distt. - Saran

... .. Petitioner/s

Versus

1. The State of Bihar
 2. Reshma Khatoon Wife of Kyamuddin @ Kyamuddin Mansoori, D/o Murtaja Hussain Resident of village - Narharpur, P.S. - Marhowrah, Distt. - Saran
- Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Harish Kumar

For the Opposite Party/s : Mr. Ramesh Chandra

=====

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 22-03-2024 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. From perusal of the office report dated 11.03.2024,
it manifests that O.P. No. 2 has received the ordinary notice, as
such, the notices have been deemed to be validly served.

3. Learned counsel for the petitioner submits that the
petitioner, being husband, has been falsely implicated in the
present case, it is also submitted that petitioner is still willing to
keep the O.P. No. 2 with honour and dignity, but then it appears
that O.P. No. 2 is not willing to restitute her conjugal rights, as
despite receiving notice, she chooses not to appear and contest,
on which the learned APP submits that the complainant may not
be in a financial position to engage a lawyer for contesting the



case from her side.

4. At this stage, the learned counsel for the petitioner submits that petitioner is willing to pay a monthly maintenance of Rs. 3,000 to the O.P. No. 2 which shall commence from 01.04.2024.

5. Learned A.P.P. for the State next submits that no useful purpose would be served by sending the petitioner to jail since petitioner is willing to maintain his wife.

6. 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. 366 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 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 if the petitioner does not deposit the amount of



monthly maintenance, as agreed, for two consecutive months.

(Satyavrat Verma, J)

Rishabh/-

U		T	
---	--	---	--

