

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64041 of 2023

Arising Out of PS. Case No.-17 Year-2023 Thana- MAHILA PS District- Buxar

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BEER YADAV @ VEER YADAV son of Bhadai Yadav Village- Dharauli Ps-
Bagen Gola Dist- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajit Kumar

For the Opposite Party/s : Mr. Suresh Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 3 10-04-2024 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State along with learned counsel appearing on
behalf of the O.P. No.2.
2. The petitioner apprehends his arrest in a case
registered for the offence punishable under Sections 323,
498(A), 34 of the Indian Penal Code and Sections 3 and 4 of the
D.P. Act.
3. The learned counsel for the parties jointly
submitted that the case was referred for mediation but then the
mediation failed. It is next submitted by the learned counsel for
the petitioner that the relationship in between the petitioner and
the O.P No.2 has deteriorated to an extent where it is not
possible to revive the conjugal relationship in the present but
then the petitioner is willing to pay a monthly maintenance of



Rs.2000/- to the O.P. No.2. It is next submitted that petitioner works as a daily labourer and his mother is also suffering from cancer.

4. The learned counsel appearing on behalf of the O.P. No.2 submits that no useful purpose would be served by sending the petitioner to jail when he is willing to maintain the O.P. No.2. It is fairly submitted that both petitioner and the O.P. No.2 are poor persons. It is next submitted by the learned counsel for the O.P. No.2 that he will WhatsApp the bank account number of the O.P. No.2 on WhatsApp number of the learned counsel appearing on behalf of 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 29.04.2024.

5. Considering the submissions made by the parties, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.2,000/- (Rupees Two 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 Buxar (Mahila) P.S. Case No.17/2023, subject



to the conditions as laid down under Section 438 (2) of the Cr.P.C.

6. However, O.P. No.2 shall be at liberty to file an application seeking cancellation of anticipatory bail granted to the petitioner in the event if the petitioner does not deposit the amount of maintenance as agreed for two consecutive months.

(Satyavrat Verma, J)

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