

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62218 of 2024

Arising Out of PS. Case No.-1876 Year-2018 Thana- BHOJPUR COMPLAINT CASE
District- Bhojpur

=====

Sunil Kumar @ Sunil Kumar Ram S/O Ramyash Ram Resident of Village-
Rampur, P.S.-Ara Muffasil, District- Bhojpur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Soni Devi W/O Sunil Kumar @ Sunil Kumar Ram, D/O Madan Ram R/O
Village- Ramapur Sandiya, P.S- Ara Muffasil, Distt. Bhojpur, At Present R/O
Village- Pawana, P.S- Pawana, Distt.- Bhojpur.

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh, Advocate
For the Opposite Party/s : Mr. Asha Devi, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 16-12-2024 1. Heard learned counsel for the petitioner, learned
A.P.P. for the State and learned counsel appearing on behalf of
the complainant.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 341, 323,
504, 379 and 498(A) of the Indian Penal Code as well as
Sections 3 and 4 of the Dowry Prohibition Act.

3. Learned counsel for the petitioner submits that
relationship in between the petitioner and the complainant has
deteriorated to an extent where it is not possible to revive the
conjugal relationship. It is further submitted that petitioner and
the complainant were married in the year 2014 and thereafter
differences occurred. It is next submitted that complainant



executed a document wherein it was recorded that she intends to stay away from the petitioner along with the child. It is also submitted that petitioner is willing to pay a monthly maintenance of Rs.5,000/- to the complainant.

4. Learned counsel appearing on behalf of the complainant vehemently rebuts the submission of the learned counsel appearing on behalf of the petitioner and submits that the document on which the petitioner is placing reliance is a forged and a fabricated document and the complainant never executed the said document but then fairly submits that no useful purpose would be served by sending the petitioner to jail as petitioner is willing to pay a monthly maintenance of Rs.5,000/-. It is further submitted that bank account number of the complainant shall be WhatsApped on the WhatsApp number of the learned counsel appearing on behalf of the petitioner and the learned counsel appearing on behalf of the petitioner undertakes to communicate the same to the petitioner so that the monthly maintenance as agreed commences from 31.12.2024.

5. Considering the submissions made by the learned counsel for the petitioner, let 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.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 Bhojpur Complaint Case No. 1876(C) of 2018, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

6. However, the complainant shall be at liberty to file an application seeking cancellation of the anticipatory bail granted to the petitioner, if the petitioner does not credit the amount of maintenance as agreed for two consecutive months.

7. It is further made clear that the present maintenance will stop in the event if maintenance is fixed by a court of competent jurisdiction.

(Satyavrat Verma, J)

Kundan/-

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

