

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62196 of 2023

Arising Out of PS. Case No.-796 Year-2022 Thana- CHAPRA MUFFASIL District- Saran

PANKAJ KUMAR Son Bhavnath Singh Resident of Village-Kohbarwa,
Police Station-Chapra Mufassil, District-Saran.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. DHANISHA KUMARI Wife of Pankaj Kumar Resident of Village-Kohbarwa, Police Station-Mufassil (Chapra), District-Saran.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Kumar Yadav

For the Opposite Party/s : Mr. Raj Kishor Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 11 23-09-2024 1. Heard learned counsel for the petitioner, learned A.P.P. for the State and the learned counsel appearing on behalf of the O.P. No. 2, Ms. Akanksha Malviya.
2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 494, 495 and 498A of the Indian Penal Code.
3. Learned counsel for the parties jointly submitted that the case was referred for mediation, but then the mediation proceedings failed. It is next submitted jointly that after the mediation proceedings failed, opportunity was granted by the Court to the parties for reaching an amicable settlement.
4. The learned counsel appearing on behalf of the O.P.



No. 2 submits that it has been mutually agreed in between the petitioner and the O.P. No. 2 that petitioner will not object the staying of the O.P. No. 2 in the house where she is presently staying along with the child and will pay a monthly maintenance of Rs. 5,000/- to the O.P. No. 2.

5. Learned counsel appearing on behalf of the petitioner also concurs with the submissions made by the learned counsel appearing on behalf of the O.P. No. 2.

6. The learned counsel appearing on behalf of the O.P. No. 2 further submits that she will *Whatsapp* the bank account number of the O.P. No. 2 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 01.10.2024.

7. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

8. 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 Mufassil (Chapra) P.S. Case No. 796 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

9. 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)

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