

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67692 of 2023

Arising Out of PS. Case No.-1 Year-2023 Thana- MAHILA P.S. District- Nawada

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SATYAM KUMAR S/O- RAJENDRA PRASAD RESIDENT OF VILLAGE-
GATOLI, POST- TETRIYA P.S.- MESKOUR, DISTRICT- NAWADA

... .. Petitioner/s

Versus

1. The State of Bihar
 2. RENU KUMARI D/O- GANESH PRASAD RESIDENT OF VILLAGE-
MANJHALA, POST-RAJAULI, P.S.- RAJAULI, DISTRICT- NAWADA
- Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sheo Kumar Prasad, Advocate
For the Opposite Party/s : Mr.Prem Kumar Jha, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 4 18-04-2024 1. Heard learned counsel for the petitioner, learned
APP for the State along with learned counsel appearing on
behalf of the O.P. No.2.
2. The petitioner seeks bail in anticipation of his
arrest in a case registered for the offences punishable under
Sections 341, 323, 504, 498(A), 34 of the IPC and ³/₄ of the D.P.
Act.
3. The learned counsel for the petitioner submits that
petitioner has been falsely implicated in the instant case being
the husband of the O.P. No.2.
4. It is further submitted that presently 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, but then no useful purpose would be served by sending the petitioner to jail, as petitioner is willing to pay a monthly maintenance of Rs.8000/- to the O.P. No.2 which shall commence from 01.05.2024.

5. It is further submitted that in future the parties may come together again, but if the petitioner is send to judicial custody the chances of future reconciliation will become very bilk.

6. The learned counsel appearing on behalf of the O.P. No.2 also submits that O.P. No.2 is not interested to sending the petitioner to jail. It is further submitted that since petitioner is willing to pay a monthly maintenance of Rs.8000/- as such the bank account number of the O.P. No.2 shall be whatsapp on the whatsapp of the 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 01.05.2024.

7. 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 Court below within a period of ten weeks, is directed to be released on bail



on his furnishing bail-bonds in the sum of Rs.5000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, Ist Class, Nawada in connection with Mahila P.S. Case No.01 of 2023 of 2021, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

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

9. The application stands allowed.

(Satyavrat Verma, J)

Prakash Narayan

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