

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70320 of 2023

Arising Out of PS. Case No.-1710 Year-2022 Thana- PURNIA COMPLAINT CASE District-
Purnia

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GANGA RAM CHOUDHARY SON OF LATE SURESH CHOUDHARY
RESIDENT OF VILLAGE- SRIMATTA, PS- TIKAPATTI, DISTT-
PURNEA

... .. Petitioner/s

Versus

1. The State of Bihar
2. RUJHA DEVI WIFE OF SRI GANGA RAM CHOUDHARY RESIDENT
OF VILLAGE- SRIMATTA, PS- TIKAPATTI, DISTT- PURNEA

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amit Kumar Anand, Adv.
For the Opposite Party/s : Mr. Shyam Bihari Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 3 11-03-2024 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State along with the learned counsel for the O.P. No.2.
2. The petitioner apprehends his arrest in a case registered
for the offence punishable under Section 498(A) of the Indian Penal
Code.
3. Learned counsel for the petitioner submits that
petitioner being husband has been falsely implicated with an
allegation that he has performed his second marriage but then
cognizance has been taken only under section 498(A) of the Indian
Penal Code read with other sections and not under section 494 of the
I.P.C. It is next submitted that the petitioner in order to establish his
bonafide is willing to pay a monthly maintenance of Rs.6000/- to the
O.P. No.2 towards her maintenance and maintenance of the children.



4. Learned counsel appearing on behalf of the O.P. No.2 submits that he has instruction to make submission that in the event if the petitioner pays a monthly maintenance of Rs.6000/- in that event not to oppose the anticipatory bail application of the petitioner.

5. The learned counsel for the petitioner next submits that the maintenance as agreed shall commenced from 01.04.2024 and shall be deposited in the account of the O.P. No.2.

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 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 trial court where the case is pending/successor court in connection with Complaint Case No.1710/2022, 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 maintenance as agreed is not deposited for two consecutive months.

(Satyavrat Verma, J)

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