

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71405 of 2023

Arising Out of PS. Case No.-69 Year-2020 Thana- SIMRI District- Buxar

Nandji Kumhar @ Nanj Ji Kumhar S/O Birodhi Kumhar R/O Village-
Chhotaka Rajpur, P.S- Simri (T.R.H.O.P.), Distt.- Buxar.

... .. Petitioner/S

Versus

1. The State Of Bihar
2. Sanju Devi W/O Nandji Kumhar @ Nanj Ji Kumhar And D/O Shiv Kumar
Kumhar R/O Village- Karuaj, P.S- Koran Sarai, Distt.- Buxar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Satyapal Singh
For the Opposite Party/s : Mr. Bharat Lal

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 22-04-2024 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 498(A) and
34 of the Indian Penal Code and Sections 3 and 4 of the D.P.
Act.

3. The learned counsel for the petitioner at the outset
submits that the police after investigation has submitted charge
sheet against the petitioner. It is further submitted that presently
the chances are bleak that any rapprochement in between the
petitioner and the O.P. No.2 shall take place but with passage of



time, the parties may reconcile their dispute. It is further submitted that no useful purpose would be served by sending the petitioner to jail as the petitioner is willing to pay a monthly maintenance of Rs.4000/- to the O.P. No.2, which shall commence from 01.05.2024. It is next submitted that petitioner is a labourer.

4. The learned counsel appearing on behalf of the O.P. No.2 also submits that no useful purpose would be served by sending the petitioner to jail as he is willing to maintain the O.P. No.2.

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.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 Simri (T.R.H. O.P.) P.S. Case No.69/2020, 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 before this court 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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