

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 70688 of 2023

Arising Out of PS. Case No.-50 Year-2023 Thana- JHAJHA District- Jamui

SAUDAGAR MANDAL Son of Late Sita Ram Mandal Resident of village -
Sheir, Police Station - Jhajha, District - Jamui.

... .. Petitioner/s

Versus

1 The State of Bihar
2 Puja Kumari D/o Raju Mandal, resident of Village – Amjhari, Police Station
– Sono, District - Jamui

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr Amrendra Kumar, Advocate
For the S t a t e	:	Mr Bishweshwar Ram, APP
For Opposite Party No 2 :		Mr Pankaj Kumar Sinha, Advocate

CORAM: HONOURABLE MR JUSTICE SATYAVRAT VERMA

ORAL ORDER

4 18-04-2024 Heard learned counsel for the petitioner, learned APP
for the State along with learned counsel for Opposite Party No
2.

2 The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 498A,
313/34 of the Indian Penal Code.

3 Learned counsel for the parties jointly submitted
that the case was sent to mediation but then the mediation
proceeding failed. The learned counsel appearing on behalf of
the petitioner submits that the relationship of Opposite Party No
2 has strained to an extent where it is not possible to revive the
conjugal relationship for the present but in future, the parties



may come together but then no useful purpose will be served by sending the petitioner to jail as that would make chance of future reconciliation, bleak. It is also submitted that petitioner, in order to come to establish his bona fide, is willing to give monthly maintenance of Rs 5,000/- to Opposite Party No 2 which shall commence from 01.05.2024. Learned counsel appearing on behalf of Opposite Party No 2 also submits that no useful purpose would be served by sending the petitioner to jail as the petitioner is willing to pay a maintenance of Rs 5,000/- per month. It is further submitted that bank account number of Opposite Party No 2 shall be sent on whats app on the number of 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.

4 In view of the submissions made by the learned counsel for the parties, 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 his furnishing bonds of Rs 5000/- (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 Jhajha PS Case No 50 of 2023 subject to the conditions as laid down under Section 438 (2) of the Cr P C.

5 However, the Opposite Party No 2 shall be at liberty to file an application seeking cancellation of the anticipatory bail granted to the petitioner before this Court in the event the petitioner does not pay the monthly maintenance, as agreed for two consecutive months.

(Satyavrat Verma, J)

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