

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70941 of 2023

Arising Out of PS. Case No.-28 Year-2023 Thana- NAUGACHIA MAHILA P.S. District-
Bhagalpur

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Sonu Kumar, Son Of Gopal Bhagat, R/O Village- Pattichak, P.S.- Meharma,
District- Godda (Jharkhand).

... .. Petitioner

Versus

1. The State of Bihar
2. Minu Kumari D/O Parmanand Bhagat, Wife Of Sonu Kumar R/O Village-
Abhiya Bazar, P.O. And P.S.- Gopalpur, District- Bhagalpur

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Amrendra Kumar, Advocate

For the Opposite Party/s : Ms.Sangeeta Sharma, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 27-02-2024 1. Heard learned counsel appearing on behalf of the

petitioner and learned A.P.P. for the State duly assisted by

learned counsel for the informant.

2. The accused/petitioner is named in the F.I.R. and
apprehending his arrest in connection with Naugchia (Mahila)
P.S. Case No. 28 of 2023 registered for the offences punishable
under Section 498-A, 504, 506/34 of the Indian Penal Code and
3/4 of the Dowry Prohibition Act.

3. The allegation against the petitioner is to commit
cruelty against O.P. No. 2/wife.

4. Learned counsel appearing on behalf of the
petitioner submitted that petitioner is desirous to lead his
conjugal life with O.P. No. 2/wife and a female child. Learned



counsel submits that petitioner has been falsely implicated with present case and as a good gesture he is ready to pay Rs. 5,000/- as an ad-interim maintenance amount to O.P. No. 2/wife and female child without fail before 7th day of every english calendar month, till disposal of the present case before learned Trial Court.

5. Learned A.P.P. for the State duly assisted by learned counsel for the informant opposes the prayer for anticipatory bail of the petitioner.

6. In view of the facts and circumstances as mentioned above and by taking note of the fact as petitioner is ready to pay ad-interim maintenance amount of Rs. 5,000/- to O.P. No. 2/wife and female child, accordingly, the petitioner above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks, is directed to be released on bail, furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Naugachia, Bhagalpur, in connection with Naugachia (Mahila) P.S. Case No. 28 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. with further conditions :-

(i) Petitioner shall pay Rs. 5,000/- as an ad-



interim maintenance amount to O.P. No. 2/wife on or before 7th day of English calendar month. Payment for the month of February be made in cash at the time of furnishing bail bond, whereas maintenance amount from the month of March onwards be paid through bank account of O.P. No. 2/wife, if not available same be opened by petitioner on his expenditure, if any.

(ii) If petitioner fails to pay ad-interim maintenance for two consecutive months the bail bond of petitioner shall be cancelled by the learned Trial Court, itself, if pressed by O.P. No. 2/wife.

(iii) Aforesaid conditions shall remain operational till finding of Family Court. Amount paid shall be adjusted accordingly.

(Chandra Shekhar Jha, J.)

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