

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74183 of 2023

Arising Out of PS. Case No.-506 Year-2023 Thana- MAJHAULIA District- West Champaran

ABHISHEK RANJAN SHARMA @ SHESHNATH SHARMA Son of Late
Gopal Sharma R/o vill - Dudha Mathiya, ward no. 3, P.S. - Majhauriya, Distt.
- West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Nibha Devi Wife of Sheshnath Sharma R/o vill - Mathiya Bhatwariya, P.S. -
Majhauriya, Distt. - West Champaran, presently residing D/o Sheshman
Tiwari at Kachari P.S. Sathi, Distt. - West Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Anant Kumar Mishra, Advocate
For the Opposite Party/s :	Md. Iftikhar Mahmood, APP
	Mr. Shivjee Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 09-05-2024 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 learned counsel for the parties jointly
submitted that the case was referred for mediation but then the
proceedings failed.

3. The learned counsel for the petitioner submits that
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 in the present.

4. It is next submitted that the instant FIR is the
second case instituted by the O.P. No.2 against the petitioner



under Section 498(A) of the IPC read with other sections. It is also submitted that with passage of time an on intervention of the well-wishers the parties may reconcile. It is next submitted that no useful purpose would be served by sending the petitioner to jail, as petitioner is willing to pay a monthly maintenance of Rs.5000/- to the O.P. No.2.

5. The learned counsel appearing on behalf of the O.P. No.2 submits that since petitioner is willing to pay a monthly maintenance of Rs.5000/- to the O.P. No.2, as such the anticipatory bail of the petitioner is not being opposed.

6. It is next submitted that the bank account number of the O.P. No.2 shall be whatsapped 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 01.06.2024.

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 six 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 learned Chief Judicial Magistrate, Bettiah, West Champaran in connection with Majhauriya P.S. Case No.506 of 2023, 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. It is further made clear that the present maintenance will stop the moment maintenance is fixed by a court of competent jurisdiction.

(Satyavrat Verma, J)

Prakash Narayan
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