

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76215 of 2023

Arising Out of PS. Case No.-345 Year-2023 Thana- BHABHU(KAIMUR) COMPLAIN C
District- Kaimur (Bhabua)

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Anil Bind, Son Of Late Radheshyam Bind R/O Vill - Chilbili, P.S. - Kudra,
Distt. - Kaimur At Bhabua

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Sunita Kumari @ Sangita Kumari, D/O Lalita Bind, W/O Anil Bind R/O Vill - Chilbili, P.S. - Kudra, Distt. - Kaimur At Bhabua. At Present Address - R/O Vill - Khund Diharma, P.S. - Sonhan, Distt - Kaimur At Bhabua

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Uday Pratap Singh
For the Opposite Party/s	:	Mr.Md. Matloob Rab
		Mr.Rajani Kant Pandey

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

5 02-04-2024 1. Heard learned counsel for the petitioner, learned counsel for the opposite party no.2 and learned APP for the State.

2. The petitioner seeks bail in anticipation of his arrest in a case registered for the offences punishable under Sections 323, 341, 405, 420 and 34 of the Indian Penal Code.

3. The learned counsel for the parties jointly submitted that the matter was referred for mediation, but then, the mediation failed.

4. The learned counsel for the petitioner submits that the relationship in between the petitioner and the complainant



has soured to an extent where it is not possible to revive the conjugal relationship, but then, submits that he has instruction to make submissions that petitioner is willing to pay a monthly maintenance of Rs.4,000/- to the opposite party no.2. It is also submitted that petitioner is a labourer and earns on daily basis.

5. The learned counsel appearing on behalf of the opposite party no.2 submits that no useful purpose would be served by sending the petitioner to jail as petitioner is willing to pay a monthly maintenance of Rs.4,000/- towards maintenance of the complainant and the child, who resides with the complainant. It is also submitted that may be with passage of time, the relationship in between the petitioner and the opposite party no.2 may get revived. The learned counsel next submits that he will whatsapp the bank account number of the opposite party no.2 on the whatsapp number of the learned counsel appearing on behalf of the petitioner and the learned counsel appearing on behalf of the petitioner undertakes to communicate the same to the petitioner, so that the monthly maintenance as agreed commences from 15.04.2024.

6. Learned A.P.P. opposes the bail application.

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. 5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Kaimur at Bhabhua in connection with Complaint Case No.345 of 2023, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

8. The application stands allowed.

9. However, it is made clear that the opposite party no.2 shall be at liberty to file an application seeking cancellation of anticipatory bail granted to the petitioner, in the event, if the petitioner does not pay the monthly maintenance as agreed for two consecutive months.

(Satyavrat Verma, J)

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