

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85105 of 2023

Arising Out of PS. Case No.-58 Year-2023 Thana- LAKHNAUR District- Madhubani

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1. RAM KUMAR CHAUPAL SON OF BHAJAN CHAUPAL @ BHAJAN KHATWE RESIDENT OF ALOLA PIPRA, P.S. - GHOGHARDIHA, DISTRICT - MADHUBANI
 2. BHAJAN CHAUPAL @ BHAJAN KHATWE SON OF LATE SINGHSWAR CHAUPAL RESIDENT OF ALOLA PIPRA, P.S. - GHOGHARDIHA, DISTRICT - MADHUBANI
- Petitioner/s

Versus

1. THE STATE OF BIHAR
 2. SUNITA DEVI WIFE OF RAM KUMAR CHAUPAL, DAUGHTER OF HARE RAM CHAUPAL PRESENTLY RESIDENT OF VILLAGE - BELLOCHA, WARD NO.9, P.S. - LAKHNAUR, DISTRICT - MADHUBANI
- Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Bharti, Advocate
For the Opposite Party/s : Mr. Manoj Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 3 27-06-2024 1. Heard learned counsel for the petitioners, learned A.P.P. for the State and learned counsel appearing on behalf of the opposite party no. 2.
2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 498(A), 494, 341, 323, 379 and 506/34 of the Indian Penal Code.
3. Learned counsel for the petitioners submits that petitioner no. 1 is the husband and petitioner no. 2 is the father-in-law of the opposite party no. 2. It is further submitted that the relationship in between the petitioner no. 1 and the opposite



party no. 2 has soured to an extent where it is not possible to revive the conjugal relationship and petitioners have been falsely implicated in the instant case by the opposite party no. 2 with an allegation that petitioner no. 1 has performed his second marriage. It is next submitted that petitioner no. 1 is willing to pay a monthly maintenance of Rs.5,000/- to the opposite party no. 2 towards the maintenance of the child and the opposite party no. 2.

4. Learned counsel appearing on behalf of the opposite party no. 2 submits that since petitioner no. 1 is willing to pay a monthly maintenance of Rs.5,000/- as such no useful purpose would be served by sending the petitioner no. 1 to jail.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

6. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their 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) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Lakhnaur P.S. Case



No. 58 of 2023, subject to the conditions as laid down under
Section 438 (2) of the Cr.P.C.

7. However, the opposite party no. 2 shall be at liberty
to file an application seeking cancellation of the anticipatory
bail granted to the petitioner no. 1 if he does not deposit the
amount of Rs.5,000/- towards maintenance for two consecutive
months.

(Satyavrat Verma, J)

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