

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3088 of 2025

Arising Out of PS. Case No.-668 Year-2023 Thana- NALANDA COMPLAINT CASE
District- Nalanda

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Uday Kumar S/O Balmiki Prasad Village- Kripabigha, Police Station-
Sheikhpura, District- Sheikhpura, At Present C/O Kamal Gupta, R/O Mohalla
East Ashoknagar, Samrat Colony, Ward no. 32, Road no. 14 B, Gali no. 5,
P.S.- Kankarbagh, Dist.- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rinku Kumari W/O Uday Kumar, D/O Late Ramashray Prasad R/O
Ajaypur, P.S.- Noorsarai, Dist.- Nalanda.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Mukherjee
For the Opposite Party/s : Mr. Arun Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 3 09-05-2025 1. Heard learned counsel for the petitioner and learned

A.P.P. for the State along with learned counsel appearing on

behalf of the O.P. No.2.
2. The petitioner apprehends his arrest in a case

registered for the offence punishable under Sections 498A of the

Indian Penal Code.
3. Learned counsel for the petitioners submits that

petitioner has been falsely implicated in the instant case by the

complainant. It is next submitted that from perusal of the

allegation as alleged in the complaint, it would manifest that no

offence under section 498A of the Indian Penal Code is made



out. It is next submitted that out of the wedlock a child was born, who presently is with the O.P. No.2. It is also submitted that the relationship in between the petitioner and the O.P. No.2 has soured to an extent where it is not possible to revive the conjugal relationship in the present but then with passage of time the petitioner and the O.P. No.2 may come together. It is next submitted that in the event if the petitioner is sent to jail the chances of any future reconciliation shall also become bleak. It is next submitted that the petitioner being husband of the O.P. No.2 in order to establish bonafide is willing to pay a monthly maintenance of Rs.4000/- to the O.P. No.2, which shall commenced from 25.05.2025.

5. The learned counsel appearing on behalf of the O.P. No.2 submits that no useful purpose would be served by sending the petitioner to jail since the petitioner is willing to pay a monthly maintenance of Rs.4000/- to the O.P. No.2. It is next submitted that the bank account number of the O.P. No.2 shall be whatsapped on the whats app number of the learned counsel appearing on behalf of the petitioner. 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 25.05.2025.



6. 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 from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten 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 Complaint Case No.668/2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. However, the 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 the petitioner does not deposit the amount of maintenance, as agreed, for two consecutive months.

(Satyavrat Verma, J)

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