

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14395 of 2025

Arising Out of PS. Case No.-874 Year-2023 Thana- AURANGABAD COMPLAINT CASE
District- Aurangabad

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Jitendra Kumar S/o- Late Brahmdev Ram Village- Ghorhat More Po Ps-
Madanpur Dist- Aurangabad

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ridha Kumari W/o- Jitendra Kumar Village- Ghorhat More Po Ps-
Madanpur Dist- Aurangabad, A/P- Tetraeen Po Ps- Dhibra Dist- Aurangabad

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Mr. Shailesh Kumar Singh
For the Opposite Party/s :	Mr. Md. Nazir Ansari- A.P.P.
	Mr. Khilesh Kumar Pandey
	Mr. Binod Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 13-05-2025 1. Heard learned counsel for the petitioner, learned

APP for the State and the learned counsel appearing on behalf of

the complainant.

2. The petitioner seeks bail in anticipation of his

arrest in a case registered for the offences punishable under

Sections 498A,323,341,504,379,34 of the Indian Penal Code

and Sections 3 and 4 of the D. P. Act.

3. The learned counsel for the petitioner submits that

petitioner, being husband, has been falsely implicated in the

instant case by the complainant. It is next submitted that

relationship in between the petitioner and the opposite party



no.2 has soured to extent where it is not possible to revive the conjugal relationship in the near future, but then, with passage of time and on intervention of well-wishers, the parties may resolve their dispute amicably. It is also submitted that petitioner being husband is aware of his responsibility and is willing to pay a monthly maintenance of Rs.3,000/- (Rs. Three Thousand) to the opposite party no.2, which shall commence from 01.06.2025.

4. The learned counsel appearing on behalf of the opposite party no.2 submits that when petitioner is willing to pay a monthly maintenance, as such, no useful purpose would be served by sending the petitioner to jail. It is also submitted that in the event, if petitioner is sent to judicial custody, chances of future reconciliation will get marred. It is next submitted that bank account number of the opposite party no.2 shall be whatsapped to 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 the 01.06.2025.

5. 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 Chief Judicial Magistrate, Aurangabad in connection with Aurangabad Complaint Case No.874 of 2023, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

6. The application stands allowed.

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

8. It is further made clear that if the Court of competent jurisdiction fixes the maintenance, the present maintenance shall stop.

(Satyavrat Verma, J)

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