

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15924 of 2024

Arising Out of PS. Case No.-1030 Year-2022 Thana- SAMASTIPUR COMPLAINT CASE
District- Samastipur

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Dayanand Rai Son Of Jagarnath Ray Resident Of Village- Hasanpur Surat,
Ps- Patori, Dist- Samastipur

... .. Petitioner/S

Versus

1. The State Of Bihar
2. Renu Kumari Daughter Of Hariwanshak Ray Resident Of Village- Inayatpur
Dhamaun, Ps- Patori, Dist- Samastipur

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar, Adv.

For the Opposite Party/s : Mr. Uday Chand Prasad, APP.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 22-01-2025 Heard learned counsel for the petitioner, learned
counsel for the O.P. No. 2 and learned APP for the State.

2. The petitioner apprehends his arrest in connection
with Complaint Case No. 1030 of 2022, T.R. No. 2496 of 2023
registered for the offences punishable under Section 498(A) of
the Indian Penal Code.

3. Learned counsel for the petitioner submits that
petitioner being husband has been falsely implicated in the
instant case by the O.P. No.2. It is further submitted that the case
was referred for mediation but then mediation failed as
petitioner was not willing to accede to the demands of the O.P.
No. 2, but then submits that being husband he is aware of his



responsibility and he is willing to pay a monthly maintenance of Rs. 6,000/- to the O.P. No. 2.

4. Learned counsel for the O.P. No.2 also does not oppose the anticipatory bail application of the petitioner and submits that since petitioner is willing to pay a monthly maintenance of Rs. 6,000/- as such no useful purpose would be served by sending him to jail. Learned counsel for the O.P. No.2 next submits that he will whatsapp the bank account details of the O.P. No. 2 on the Whatsapp number of the learned counsel appearing on behalf of the petitioner and the learned counsel for the petitioner undertake to communicate the same to the petitioner, so that the monthly maintenance as aggrieved commences from 01.02.2025.

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

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, are directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned J.M. 1st Class, Samastipur in



connection with Complaint Case No. 1030/2022, T.R. No. 2496/2023, subject to the conditions 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 the petitioner does not credit the amount of maintenance as aggrieved for two consecutive months.

8. It is made clear that if the Court of competent jurisdiction decide the amount of maintenance in that event the present maintenance will stop.

9. Accordingly, the application stands allowed.

(Satyavrat Verma, J)

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