

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34545 of 2025

Arising Out of PS. Case No.-309 Year-2024 Thana- NALANDA COMPLAINT CASE
District- Nalanda

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Chandrakant Kumar S/o Sanjit Singh R/o Village- Sarbhada, Atri, P.S.-
Khidarsarai, District- Gaya

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sonam Kumari W/o Chandra Kant Kumar D/o Late Ramashray Singh, R/o
Village - Katridih, P.S.- Katrisarai, District- Nalanda

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anjani Kumar, Advocate

For the Opposite Party/s : Mr. Nand Kishore Prasad, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

6 04-12-2025 1. Heard learned counsel for the petitioner, learned
A.P.P. for the State and learned counsel appearing on behalf of
the complainant.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 341, 323,
379, 384, 498(A), 504, 506 and 34 of the Indian Penal Code.

3. Learned counsel appearing on behalf the petitioner
submits that petitioner, being the husband, has been falsely
implicated in the instant case by the complainant. It is further
submitted that relationship in between the petitioner and the
complainant has deteriorated to an extent where it is not
possible to revive the conjugal relationship. It is next submitted
that petitioner has filed Matrimonial Case No. 240 of 2025 in



the Court of learned Principal Judge, Family Court, Nalanda at Bihar Sharif seeking dissolution of marriage under Section 12 of the Hindu Marriage Act on the ground that the marriage was voidable. It is also submitted that petitioner, being the husband of the complainant, is aware of his responsibility that till Matrimonial Case No. 240 of 2025 is not decided, the complainant is his wife and, as such, is willing to pay a monthly maintenance of Rs.7,000/- which shall commence from 15.12.2025.

4. Learned counsel appearing on behalf of the complainant also does not dispute the said submission of the learned counsel appearing on behalf of the petitioner that Matrimonial Case No. 240 of 2025 has been filed by the petitioner seeking dissolution of marriage. It is further submitted that since petitioner is willing to pay a monthly maintenance of Rs.7,000/-, as such, no useful purpose would be served by sending the petitioner to jail. It is next submitted that the bank account number of the complainant shall be sent 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 15.12.2025.

5. After hearing the learned counsel for the parties, let the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.5,000/- (Rupees Five 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 (C.R.) No. 309(C) of 2024, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

6. However, the complainant shall be at liberty to file an application seeking cancellation of the anticipatory bail granted to the petitioner, if the petitioner does not deposit the amount of maintenance as agreed for two consecutive months.

7. It is made clear that the present maintenance will stop if a Court of competent jurisdiction decide the issue of maintenance or after disposal of Matrimonial Case No. 240 of 2025.

(Satyavrat Verma, J)

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