

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38250 of 2024

Arising Out of PS. Case No.-307 Year-2019 Thana- DARBHANGA COMPLAINT CASE
District- Darbhanga

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Sunil Kumar Dev S/o Sukharilal Dev Resident of Village- Shivram, P.S.-
Baheri, District-Darbhang.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Meenu Devi W/o Sunil Kumar DEv Resident of Village- Sher SHivrampur
P.S.- Baheri, District-Darbhang Presently D/o Baiju Prasad Dev, Vill-
Tikapatti P.S-Alinagar, Dist Darbhanga

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Mr.Md Ansiur Rahman, Advocate
For the Opposite Party/s :	Mr.Arun Kumar, APP
	Mr. Nafisuzzoha, Advocate

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 22-01-2025 Heard learned counsel for the petitioner, learned APP

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

O.P. No.2.

2. The petitioner seeks bail in anticipation of his
arrest in a case registered for the offences punishable under
Section 498(A) of the Indian Penal Code in connection with
Complaint Case No.307 of 2019.

3. The learned counsel appearing on behalf of 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 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 and on intervention of well wisher the dispute may get resolved. It is also submitted that petitioner being husband is aware of his responsibility and as such petitioner is willing to pay a monthly maintenance of Rs.4000/- to the O.P. No.2 which shall commence from 01.02.2025. It is also submitted that petitioner works a labourer.

4. The learned counsel appearing on behalf of the O.P. No.2 fairly submits that no useful purpose would be served by sending the petitioner to jail when petitioner is willing to pay a monthly maintenance of Rs.4000/- to the O.P. No.2.

5. It is further submitted that bank account number of the O.P. No.2 shall be whatsapped on the whatsapp number of the learned counsel appearing on behalf of the petitioner and the learned counsel for the petitioner undertakes to communicate the same to the petitioner so that the monthly maintenance as agreed commences from 01.02.2025.

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, is 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 Judicial Magistrate, Benipur, Darbhanga in connection with Complaint Case No.307 of 2019, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. However, it is made clear that 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 petitioner does not deposit the monthly maintenance as agreed for two consecutive months.

8. It is further made clear that if a court of competent civil jurisdiction fixes the maintenance in that event, the present maintenance shall stop.

9. The application stands allowed.

(Satyavrat Verma, J)

Prakash Narayan

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