

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42113 of 2025**

Arising Out of PS. Case No.-1715 Year-2022 Thana- BHAGALPUR COMPLAINT CASE
District- Bhagalpur

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Rajesh Kumar @ Tillo Mandal Son of Sanjo Mandal @ Sanjay Mandal
Resident of village - Ekchari Diara, P.S.- Ekchari, District - Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Shiromani Kumari Daughter of Ramesh Mandal Resident of village -
Mirzapur, P.S.- Ghogha, District - Bhagalpur.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Subodh Prasad

For the Opposite Party/s : Mr. Nand Kumar

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

3 03-09-2025 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
494, 498A of the Indian Penal Code and Section 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 works as a labourer but then being husband is aware of his responsibility and is willing to pay a monthly maintenance of Rs.2,000/- (Rs. Two Thousand) to the opposite party no.2, which shall commence from 15.09.2025.

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 15.09.2025.

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. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bhagalpur in connection with Complaint Case No.1715/2022, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

6. 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.

7. 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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