

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66493 of 2024

Arising Out of PS. Case No.-92 Year-2024 Thana- KADAMKUAN District- Patna

Manoj Kumar Agarwal @ Manoj Agarwal @ Manoj Kumar Son of Late Shiv Kumar Agarwal R/o- 204, Phool Raj Enclave, Ganesh Nurshing Home Gali , P.S. and P.O. - Kadamkuan, District -Patna

... .. Petitioner/s

Versus

- 1. The State of Bihar
- 2. Barkha Agarwal Wife of Manoj Kumar Agarwal, Daughter of Bachu Prasad Kedia R/o- 204, Phool Raj Enclave, Ganesh Nurshing Home Gali , P.S. and P.O. - Kadamkuan, District - Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Vishal Vikram Rana, Adv
		Ms. Misha Bharti, Adv
For the State :		Mr.Ajit Kumar, APP
For the O.P.		Ms. Kanu Priya, Adv

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

5 14-05-2025 Learned counsel for the petitioner and Opposite party no. 2 are present along with their respective counsels.

2. The case is under section 498A and the petitioner is husband.

3. After brief interaction between the parties, it appears that with regard to the dispute between the parties, it seems that for the present, some solution can be worked out in order to crease out the differences between the parties. It also appears that although there are allegations and counter allegations by both the parties against each other, it remains a fact that this case has been filed after 23 years of marriage and



the petitioner is a respectable business man and the OP.No.2 wife has also stayed in her matrimonial house for these many years and they have two children out of the wedlock. The son is now an adult whereas the daughter is still studying and staying in a hostel.

4. It has been offered by the petitioner that for the coming six months the opposite party no.2 can stay in her matrimonial house in which at present both of them are staying along with her son and the petitioner would temporarily move out of the house into some rental accommodation. The petitioner has also agreed that he would allow her to continue with the business, which she was earlier engaged in and would also provide the necessary stocks.

5. Taking into consideration of the facts and circumstances and also taking into consideration the bona fide of the petitioner and also that the marriage is 23 years old and, at present, also they were staying together under one roof, I am inclined to grant privilege of anticipatory bail to the petitioner. Accordingly, in the event of his arrest/ surrender within a period of four weeks from today the petitioners shall be released on bail on furnishing bail bonds of rs 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the



learned Chief Judicial Magistrate, Patna in Kadamkuan P.S Case No. 92 of 2024, subject to condition as laid down under section 438(2) of the Cr.PC and subject to the further condition that the petitioner shall co-operate in investigation/ trial.

6. However, in case after a period of six months, the present arrangement does not continue or there is any substantial change in the arrangement then in that case, the parties would work out a workable solution. At present the petitioner is taking care of all the expenses of the children and he would continue to do the same and the petitioner would also ensure that the OP.No.2 would not have problems with regard to basic amenities in her residential house.

(Soni Shrivastava, J)

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