

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2929 of 2025

Arising Out of PS. Case No.-420 Year-2024 Thana- GAUTAMBUDHNAGAR District-
Siwan

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Kunal Singh @ Bittu Singh S/o- Ramayodha Singh Village- Rampur Dakshin
tola, P.s- Madhaura, Distt-Saran

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Khushi Kumari W/o- Kunal Singh @ Bittu Singh, D/o- Rajesh Singh
Village- Bajarhiya Ps- GB Nagar Dist- Siwan

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Alka Panday, Advocate
For the Opposite Party/s : Mr. Choubey Jawahar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 4 18-08-2025 1. Heard learned counsel for the petitioner, learned
A.P.P. for the State and learned counsel appearing on behalf of the
opposite party no. 2.
2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 85, 126(2),
303(2), 89 and 351(2) of the BNS.
3. Learned counsel appearing on behalf of the opposite
party no. 2 at the outset submits that the case was heard by a
learned Coordinate Bench of this Court when a submission was
made on behalf of the petitioner that he is ready to restitute his
conjugal rights and he will bring back the opposite party no. 2
from her paternal home to her matrimonial home within two
weeks as would manifest from the order dated 28.07.2025 but then



no efforts were made by the petitioner to bring back the opposite party no. 2 from her parental home to her matrimonial home.

4. Learned counsel appearing on behalf of the petitioner submits that petitioner was ready to reconstitute his conjugal rights but then opposite party no. 2 was not willing but then learned counsel for the petitioner submits that she has instruction to make submission on behalf of the petitioner that being the husband he is aware of his responsibility and thus is willing to pay a monthly maintenance of Rs.7,000/- which shall commence from 01.09.2025 till the issue is not resolved amicably.

5. Learned counsel appearing on behalf of the opposite party no. 2 also submits that no useful purpose would be served by sending the petitioner to jail when he is willing to pay a monthly maintenance and is also ready to resolve the dispute amicably. It is further submitted that if petitioner is sent to judicial custody chances of future reconciliation shall also get marred.

6. Learned counsel appearing on behalf of the opposite party no. 2 submits that he will provide the bank account number to the learned counsel appearing on behalf of the petitioner on her WhatsApp 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.

7. Learned A.P.P. for the State opposes the prayer for



anticipatory bail of the petitioner.

8. Considering the submissions made by the learned counsel for the petitioner, 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 G.B. Nagar P.S. Case No. 420 of 2024, subject to the conditions as laid down under Section 482 (2) of the BNSS.

9. However, it made clear that opposite party no. 2 shall be at liberty to file an application seeking cancellation of anticipatory bail granted to the petitioner if the petitioner does not deposit the amount of maintenance as agreed for two consecutive months.

(Satyavrat Verma, J)

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