

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18563 of 2015

Arising Out of PS.Case No. -2479 Year- 2013 Thana -VAISALI COMPLAINT CASE District-
VAISHALI(HAJIPUR)

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Subodh Kumar Singh @ Subodh Kumar son of Gaya Singh resident of
village- Senduari, P.S. Sadar Hajipur, District- Vaishali at Hajipur.

.... Petitioner/s

Versus

1.The State of Bihar

2.Shobha Kumari D/o Devendra Prasad Singh, w/o Subodh Singh. At
present Village & P.O. Bedauliya, P.S. Jandaha, District Vaishali.

.... Opposite Party/s

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

2 16-06-2015 Heard learned counsel for the parties.

Learned counsel for the petitioner prays for and is
allowed to implead Shobha Kumari as Opposite Party
No. 2.

Having regard to the nature of allegation against
the petitioner for the offence punishable under Section-
498A of the Indian Penal Code and Section-4 of the
Dowry Prohibition Act and that the wife of the petitioner
being complainant has alleged of not only mental but
physical torture as a result whereof she does not find
comfortable and/or safe to stay with the petitioner, this
Court is not inclined to grant the privilege of

anticipatory bail to the petitioner.

When such an observation has been made learned counsel for the petitioner says that the petitioner would pay sum of Rs. 500/- per month for maintaining his wife till the conclusion of the trial. This goes to show the harassing attitude of the petitioner, as Rs. 500/- is not good enough to even maintain a Pup (Dog's child) whereas the petitioner wants his wife to be maintained in Rs. 500/- per month.

Be that as it may, now the petitioner realizes that he has the responsibility to maintain his wife and if the petitioner namely, **Subodh Kumar Singh**, surrenders within a period of four weeks from today and gives a written undertaking to pay sum of Rs. 3500/- per month to the wife-Opposite Party No. 2, commencing from the month of June-2015 till the end of the trial, he shall be released on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of **S.D.J.M., Vaishali at Hajipur** in



connection with **Complaint Case No. C1-2479/13 Tr. No. 3311 of 2014**, subject to the conditions laid down under Section- 438 (2) Cr. P.C and also subject to the following conditions:-

(i) Such amount of Rs. 3500/- has to be deposited by the petitioner in the concerned Court on month to month basis commencing from June 2015 by every fifth day of the next month and that amount shall be paid to the wife (Opposite Party No. 2) of the petitioner and failure to do so by the petitioner even for a single month would automatically entail the consequences of cancellation of his bail.

(ii) That both the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how they are related with the petitioner. The bailors will also undertake to inform the Court if there is any change in the address of the petitioner.

(iii) That the bailor shall also state on affidavit that he will inform the Court concerned if the petitioner is implicated in any other case of similar nature after his release in the present case and thereafter the Court below will be at liberty to initiate the proceeding for cancellation of his bail on the ground of misuse.

(iv) That the petitioner will be well represented on each and every date of trial and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled on this ground alone.

(Mihir Kumar Jha, J)

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