

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.13453 of 2019**

Arising Out of PS. Case No.-286 Year-2018 Thana- ITARHI District- Buxar

=====

Anish Singh @ Anish Rai @ Ritu Rai Son of Late Rameshwar Singh,  
Resident of Village - Lilari, P.S. - Baghaila, District – Rohtas.

... .. Petitioner

Versus

1. The State of Bihar.  
2. Tanuja Kumari @ Urmila Devi D/o Vidarthi Singh, R/o Village Arop, P.S.  
Itharhi, District Buxar.

... .. Opposite Parties

=====

**Appearance :**

|                      |   |                                |
|----------------------|---|--------------------------------|
| For the Petitioner/s | : | Mr.Ashwini Kumar Rai, Advocate |
| For the State        | : | Mr.Kalyan Shankar, APP         |
| For the O.P. No. 2   | : | Mr.Parijat Saurav, Advocate    |

=====

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD**  
**ORAL ORDER**

8      27-11-2019                      Heard learned counsel for the petitioner, learned APP  
for the State and learned counsel for the opposite party no. 2.

The petitioner who is the husband of opposite party  
no. 2 in this case is seeking anticipatory bail in connection with  
Itarhi P.S. Case No. 286 of 2018 registered for the offences  
punishable under Sections 341, 323, 498A/504 of the Indian  
Penal Code and 3/4 of the Dowry Prohibition Act.

The mediation report available on the record shows  
that the opposite party no. 2 is not willing to live with this  
petitioner.

Marriage between the parties were solemnized in the  
year 2011 and 7 years after marriage when they have two



children out of their wedlock the parties have fallen apart.

From the submissions made by learned counsel for the petitioner and O. P. No. 2 it appears that there are some issues with regard to compatibility and the O. P. No. 2 is not ready to continue with this marriage and she is looking for some maintenance and settlement.

Learned counsel for the petitioner has offered to pay a sum of Rs. 1000/- per month towards maintainace subject to final outcome of the maintenance case which has been brought by O. P. No. 2 in the court below. According to him, the petitioner has only two Bighas of land and his source of income is from cultivation of that land.

In the given facts and circumstances of the case, considering the submissions of the parties, in the nature of the case and the offer made by the petitioner, let the petitioner in case of his arrest or surrender in connection with Itarhi P.S. Case No. 286 of 2018 within a period of four weeks from today be enlarged on bail on furnishing bail bonds of Rs. 15,000/- (fifteen thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. II, Buxar, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. i.e.

(i) a condition that the person shall make himself available for interrogation by a police officer as and when



required;

(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

(iii) a condition that the person shall not leave India without the previous permission of the Court.

And further condition that the petitioner shall abide by his undertaking to pay Rs. 1000/- per month for the present subject to the final outcome of the maintenance case. Such amount shall be paid in the account of the O. P. No. 2 in between 1<sup>st</sup> to 15<sup>th</sup> day of every month. In case of failure to abide by this condition, O. P. No. 2 may file an appropriate application in the court below for cancellation of bail bound of the petitioner.

**(Rajeev Ranjan Prasad, J)**

avin/ved

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

