

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17741 of 2019

Arising Out of PS. Case No.-81 Year-2018 Thana- SISWAN District- Siwan

CHANDAN KUMAR SINGH Son of Late Paspati Singh, Resident of Village- Bhaiswara, P.O.- Madilasa Tari, Police Station- Siswan, District- Siwan.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Vickky Singh Wife of Chandan Kumar Singh, daughter of Ashok Singh, Resident of Village- Bhaiswara, P.O.-Madilasa Tari, Police Station- Siswan, District- Siwan, at present resident of village and P.O.- Gangpur, Police Station-Siswan, District- Siwan.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Tiwary
For the Opposite Party/s : Mr.Renu Kumari

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

9 26-02-2020 Heard learned counsel for the petitioner and learned APP for the State.

The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Siswan P.S. Case No. 81 of 2018, registered for the offence punishable under sections 341, 323, 324, 420, 377, 498A, 504, 506, 120B and 34 of the Indian Penal Code.

As per allegation in the FIR, the accused persons were given Rs. 3,00,000/- in cash and other items by way of gift worth several lakhs at the time of marriage by the informant. It is further submitted that soon after the marriage, the accused



persons started torturing the sister of the informant and making a demand of Rs. 1,00,000/- in cash and a Hero Honda Splendor motorcycle.

It is submitted by learned counsel for the petitioner that the allegations as levelled in the FIR are false and concocted. Neither any dowry was paid at the time of marriage nor was any demand made thereafter. It is submitted that the petitioner, who is the husband of the sister of the informant, is unemployed and it is the sister of the informant, who has deserted him.

It is submitted by learned counsel for the informant that not only the allegations as levelled in the FIR are correct but the petitioner is not even paying a single farthing to his wife by way of maintenance. It is finally submitted that this is not a fit case for grant of anticipatory bail to the petitioner.

To the above, it is submitted on behalf of the petitioner that although the petitioner is unemployed, however, he is ready to pay a sum of Rs. 3,000/- per month by way of maintenance to his wife, but at the same time he would like his wife to return home.

Having heard learned counsel for the parties and taking into consideration the facts as stated above, it is directed



that the petitioner shall start paying a sum of Rs. 3,000/- per month, as offered by him, to O.P. No.2, his wife i.e. sister of the informant, and in that event, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of six weeks from today and in the event of his arrest or surrender in connection with Siwan P.S. Case no. 81 of 2018, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-IV, Siwan subject to the condition as laid down under section 438(2) of the Cr.P.C.

It may be mentioned here that the aforesaid maintenance amount of Rs. 3000/- per month would be subject to the final fixation of maintenance in a properly instituted maintenance case.

(Partha Sarthy, J)

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