

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.17321 of 2021**

Arising Out of PS. Case No.-2491 Year-2018 Thana- SARAN COMPLAINT CASE District-  
Saran

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Rakesh Singh Son Of Chetnarain Singh Resident Of Village- Chhitrauli, P.S.-  
Khaira, District- Saran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Maya Devi Wife of Rakesh Singh, Daughter of Ramnaresh Singh Resident  
of Village- Chhitrauli, P.S.- Khaira, District- Saran. Presently residing at  
Village- Hasanpura, P.S.- Marhaura, District- Siwan.

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Ankur Prakash Sinha  
For the Opposite Party/s : Mr. Dilip Kumar No. 1

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**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN**  
**ORAL ORDER**

7      28-06-2022                      Heard learned counsel for the parties.

The petitioner apprehends his arrest in a case  
registered for the offences punishable under Sections 323, 379  
498A and 494 of the Indian Penal Code.

Petitioner, who is husband of opposite party no2.,  
is said to have ousted the opposite party no.2 from her  
matrimonial home in association of his family members over the  
dowry demand.

It is submitted by learned counsel for the  
petitioner that the petitioner is an innocent person and has  
committed no offence. Petitioner has neither made any dowry  
demand nor drove her out of her matrimonial home nor  
tormented her over the demand of dowry. He is still ready to

keep her with full honour and dignity. The petitioner has relied upon the judgment of this Court in the case of **Md. Naimul Haque Ansari @ Naimul Haque Ansari & Ors. Vs. The State of Bihar**, reported in **2006 (3) PLJR 182**.

However, the petitioner is ready to give Rs.2,000.00 (Rupees Two Thousand) per month as maintenance to opposite party no.2 in first week of every month. It goes without saying that the aforesaid payment shall be subject to any order passed in matrimonial maintenance case or any other collateral proceeding. If the petitioner fails to give the aforesaid amount on two consecutive dates to opposite party no.2, his bail bond shall automatically be cancelled.

Learned counsel for the opposite party no. 2, under instruction, submits that opposite party no.2 undertakes to provide her bank account details to the petitioner within a period of two weeks by submitting the same on affidavit before the learned court below.

In that view of the matter, let the above named petitioner, be released on anticipatory bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties

of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Trial No. 3387 of 2019 arising out of Complaint Case No. 2491 of 2018, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.,

If so advised, either of the parties will be at liberty to make an application before the learned Court below for referring the matter to the District Mediation Center for the purpose of reconciliation or one time settlement.

**(Anjani Kumar Sharan, J)**

devendra/-

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