

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12793 of 2022

Arising Out of PS. Case No.-225 Year-2021 Thana- GOPALPUR District- Patna

ANIL SINGH Son of Late Shiv Prasad Singh Resident of Village- Kamta Chak, P.S.- Gopalpur, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Nitu Devi Wife of Anil Singh Resident of Village- Kamta Chak, P.S.- Gopalpur, District- Patna. At Present - Mahdeo Nagar, P.O.- Lahera, P.S.- Shimlapuri, District- Ludhiyana (State of Punjab).

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nand Kishore Prasad Sinha
For the Opposite Party/s : Mr.Jharkhandi Upadhyay

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 09-11-2022 Heard learned counsel for the petitioner, learned counsel for the informant and learned APP for the State.

The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Gopalpur P.S. no. 225 of 2021 instituted for the offence under Sections 341, 323, 498A, 494 and 504 of the Indian Penal Code.

Prosecution case relates to abuse and torture to the informant by the petitioner and ultimately petitioner ousted her with three children from his house.

It is submitted by learned counsel for the petitioner that petitioner is husband of the informant and he has been



falsely implicated in the present case. He has further submitted that petitioner is differently able person.

Learned counsel for the informant prays for some maintenance for her survival along with three children as she is a housewife and she is not able to maintain herself and her children.

In the alternative, learned counsel appearing on behalf of the petitioner, submits that petitioner is ready to give Rupee four thousand per month from this month, subject to furnishing bank account number by the informant to the petitioner.

In the changed circumstance, learned counsel for the informant admits that he shall provide bank account number of the informant to the petitioner within a period of one week from today. On receipt of the bank account number of the informant, the petitioner shall deposit Rs. 4,000/- (four Thousand) in every month commencing from November, 2022 as maintenance in the account furnished by the informant.

Having heard learned counsel for the parties and considering the submissions made on behalf of the petitioner, this Court is inclined to enlarge him on bail. The petitioner, above named, in the event of his arrest or surrender before



learned Court below within a period of four weeks from today, shall be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/-(Ten Thousands) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, IX, Patna in connection with Gopalpur P.S. Case No. 225 of 2021, subject to the conditions as laid down under section 438(2) of the Cr.P.C.

The aforesaid payment will be subject to any order passed in the maintenance case for final settlement.

The bail bonds of the petitioner shall be accepted by the learned court below on showing receipt of deposit of Rs. 4,000/- (for the month of November) by the petitioner in the account of the informant.

(Sunil Kumar Panwar, J)

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