

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20153 of 2022

Arising Out of PS. Case No.-403 Year-2020 Thana- MAHNAR District- Vaishali

SUJIT KUMAR SINGH SON OF SURESH SINGH @ SURESH PRASAD
SINGH R/O VILLAGE- CHAPAR, P.S.- MOHIUDDIN NAGAR,
DISTRICT- SAMASTIPUR

... .. Petitioner/s

Versus

1. The State of Bihar
2. ANUJ KUMAR SINGH SON OF LATE JAI DAYAL SINGH R/O
VILLAGE AND POST- HASANPUR, P.S.- MAHNAR, DISTRICT-
VAISHALI AT HAJIPUR

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Dhananjai Kumar Singh, Advocate
For the Opposite Party/s :	Ms. Meena Singh, A.P.P.
:	Mr. Deepak Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 01-11-2022 Heard learned counsel for the petitioner, learned
counsel for the informant and learned A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the
offences punishable under Sections 498A of the Indian Penal
Code and Section 3/4 of Dowry Prohibition Act.

The informant alleges that his sister was married to
the petitioner in the year 2017 and after marriage dowry was
being demanded and finally she was ousted from the house.

Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and has been falsely
implicated in the present case, it is next submitted that the FIR



has not been instituted by his wife but by the father of his wife, it is next submitted that petitioner has already filed a divorce case before the learned Principal Judge Family Court Samastipur and it was only after filing of the divorce case that the present FIR came to be instituted. Learned counsel further submits that since petitioner has already filed a divorce case, as such, it would not be possible for the petitioner now to keep his wife. Learned counsel for the petitioner submits that he has instructions from the petitioner to submit that petitioner during pendency of the divorce case is willing to pay a monthly maintenance of Rs. 7,000/- to his wife who presently is staying with the informant, till in the divorce case monthly maintenance is not fixed, it is thus submitted in the event, if monthly maintenance is fixed by a Court of competent jurisdiction then the present maintenance will come to an end. Learned counsel for the informant who appears also submits based on instruction that he agrees with the submission of the learned counsel for the petitioner.

Learned counsel for the informant next submits that he will forward the Bank Account Number of the wife of the petitioner to the learned counsel for the petitioner on his What's App and the learned counsel for the petitioner undertakes to



forward the said Bank Account Number to the petitioner in which the said amount as agreed would be deposited.

Learned counsel for the petitioner next submits that the moment he will get the bank account number of his wife through the learned counsel for the informant, the said amount will start getting deposited. The learned counsel next submits that the maintenance would commence from November 2022 and, thereafter, it would be paid monthly in between 15-20 of every month commencing from December till the maintenance is not adjudicated by a Court of competent jurisdiction.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Mahnar P.S. Case No. 403 of 2020 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.



In the event, if any application is filed by the informant before the learned Trial Court bringing to its notice that the maintenance as agreed is not being paid by the petitioner consecutively for 2 months, then, the learned Trial Court shall forthwith cancel his bail bonds.

(Satyavrat Verma, J)

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