

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64122 of 2021

Arising Out of PS. Case No.-14 Year-2021 Thana- MAHILA P.S. District- Siwan

=====

ABHINIT SINGH SOLANKI Son of Late Ramagya Singh Resident of Village- Titra Bagra, P.O.- Titra, P.S.- Jiradei, District- Siwan At present Residing at Mohallah- Nai Basti Mahadeva, Malviya Nagar, P.S.- Mahadeva O.P., District- Siwan

... .. Petitioner/s

Versus

1. The State of Bihar
2. Bandana Kumari Daughter of Satyendra Singh Resident of Village and P.O.- Bharauli, P.S.- Andar, District- Siwan (Bihar). At present Village- Titra Bagra, P.S.- Jiradei, Siwan.

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s :	Mr. Uday Kumar, Advocate
For the Opposite Party/s :	Mr. Akbar Ali
	Mr. Vijay Prakash Singh

=====

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 3 30-08-2022 Heard learned counsel for the petitioner, learned counsel for the informant and learned A.P.P. for the State.

In compliance of the order dated 19.07.2022, the petitioner and the Opposite Party No. 2 are physically present in the Court along with their respective counsels.

After hearing the parties at length, it appears that it is difficult for the party to arrive at a settlement as petitioner has already filed a divorce case in which the Opposite Party No. 2 has appeared and is contesting, the learned counsel for the petitioner next submits that Opposite Party No. 2 though has alleged in the FIR that she was assaulted and tortured by the



petitioner and his family members after marriage, but then she presently is staying in the ancestral house of the petitioner and is also receiving rent to the tune of Rs. 14-15 thousand, the learned counsel for the petitioner next submits that the rent amount is nearly 25,000/- but presently some flats are vacant.

Learned counsel for the Opposite Party No. 2 on instruction submits that Opposite Party No. 2 is staying in the house of the petitioner all alone as brothers of the petitioner are also not staying in Siwan, it is next submitted that Opposite Party No. 2 is receiving the rent from the tenant to the tune of Rs. 25,000/-. The Court made a specific query from the Opposite Party No. 2 that it has been submitted by the petitioner that you are receiving an amount of Rs. 25,000/- towards rent on which she categorically replied that presently some flats are vacant as such the said amount is not being collected but is receiving rent from other flats to the tune of Rs. 14,000/- since the Opposite Party No. 2 is already residing in the house of the petitioner and is also receiving rent as such the Court does not find it a fit case to grant any maintenance for granting bail to the petitioner as sought by the Opposite Party No. 2 which would be subjected to the decision of the Court of competent jurisdiction in maintenance case, if the same is filed.



Considering the submissions made by the learned counsel for the petitioner and after hearing the Opposite Party No. 2 in person, 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. 2,000/- (Rupees Two 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 Siwan Mahila P.S. Case No. 14 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

Shivam/-

U		T	
---	--	---	--

