

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64322 of 2019**

Arising Out of PS. Case No.-585 Year-2018 Thana- ROHTAS COMPLAINT CASE District-
Rohtas

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ASHUTOSH KUMAR SINGH @ ASHUTOSH KUMAR Son of Abhay
Kumar Singh Resident of Village - Ara Road, Bikramganj, P.S.- Bikarmganj,
Distt - Rohtas.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Soni Devi Wife of Ashutosh Kumar Singh Resident of Village - Shahpur,
P.O. - Mohanpur, P.S.- Karakat, Distt - Rohtas.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sada Nand Roy, Adv.
For the Opposite Party/s : Mr.Sanjay Kumar Tiwary, APP
Mr.Khatim Reza, Adv.

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

6 17-01-2022 Heard the parties through virtual court proceedings.

The petitioner apprehends his arrest in connection with
Complaint Case No.585 of 2018, registered under sections
498(A)/34 of the IPC.

Allegation against the petitioner, being the husband of
the complainant, is that he used to torture the complainant due
to non fulfillment of dowry demand and of ousting her out of
her matrimonial house.

It is submitted by learned counsel for the petitioner that
petitioner is an innocent person and has committed no



offence. Petitioner has never made any dowry demand and has been falsely implicated in the present case due to grudge. 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*. It is submitted that the petitioner is ready and willing to keep his wife with full honour and dignity.

Learned counsel for the complainant opposed the prayer for anticipatory bail.

Considering the aforesaid facts and circumstances, let the petitioner, named above, in the event of his arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail, on furnishing bail bonds 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 Complaint Case No.585 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 Court below for referring the matter to the District Mediation Centre for the purpose of



reconciliation or one time settlement.

However, petitioner is ready to pay Rs.2000/- (Rupees Two Thousand) per month to the opposite Party No.2 for a period of one year, within which period, it is expected that the O.P. No.2 shall file a maintenance case before the learned Family Court for grant of maintenance and petitioner shall also abide that order, either ad interim or final, passed by learned Family Court.

It is also made clear that, in case of failure to pay Rs.2000/- for continuous three months, the O.P. No.2 is at liberty to move for cancellation of the bail bond of the petitioner before the learned court below itself.

Accordingly, this application is disposed of.

(Anjani Kumar Sharan, J)

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