

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5999 of 2023

Arising Out of PS. Case No.-10 Year-2020 Thana- MAHILA PS District- Buxar

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BABLU SINGH @ VIJAY SINGH SON OF SHRI VIRENDRA SINGH R/O
VILLAGE- RASSAULI, P.S.- HASAN BAZAR, DISTRICT- BHOJPUR
(ARA)

... .. Petitioner/s

Versus

1. The State of Bihar
2. BINDI KUMARI D/O LATE LALAN SINGH R/O VILLAGE- RAMPUR
MATHIYA, P.O.- NAYA BHOJPUR, P.S.- SIMARI, DISTRICT- BUXAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Birendra Sharma, Advocate
For the Opposite Party/s : Mr. Mritunjay Kumar Nirala, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 23-08-2023 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 498(A),
323, 341, 379, 506 and 34 of the Indian Penal Code and
Sections 3 /4 of the Dowry Prohibition Act.

3. Learned counsel for the petitioner submits that by
order dated 18.05.2023, notices were issued on O.P. No. 2 and
the same was filed within time. It is next submitted that from
perusal of office report, it would manifest that the notices have
been received by the mother and brother of the O.P. No. 2.

4. Learned counsel for the petitioner next submits that



the O.P. No. 2 is residing with her mother and brother and she will not come to contest the case. It is next submitted that petitioner and the O.P. No. 2 have filed a Divorce Suit No. 94 of 2021 seeking divorce by mutual consent which is pending in the Court of learned Principal Judge, Family Court, Buxar.

5. Learned counsel for the petitioner further submits that the evidence of the petitioner has been recorded in the said divorce proceedings and the evidence of the informant is awaited. It is next submitted that parties agreed that for separating, the petitioner will pay an amount of Rs. 2,70,000/- to the O.P. No. 2 by way of permanent alimony. It is further submitted that out of Rs. 2,70,000/-, the petitioner has already paid an amount of Rs. 1,00,000/- and the day the evidence of the O.P. No. 2 is recorded, the rest amount shall be paid.

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

7. 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. 10,000/- (Rupees Ten 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 Baxar Mahila P.S. Case No. 10 of 2020 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

8. However, it is made clear that the informant would be at liberty to file an application seeking cancellation of the anticipatory bail order of the petitioner in the event if what has been contended by the petitioner, as recorded hereinabove, are incorrect facts.

(Satyavrat Verma, J)

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