

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7201 of 2023

Arising Out of PS. Case No.-1555 Year-2021 Thana- BEGUSARAI COMPLAINT CASE
District- Begusarai

Dr. Kunal Kishore Singh @ Kunal Kishore @ Dr. Kunal Kishore, Son of
Vijay Kishore Singh, R/O Village- Harisinghpur Kothi, P.S.- Sarairanjan,
District- Samastipur

... .. Petitioner

Versus

1. The State of Bihar.
2. Runam Kumari, Wife of Kunal Kishore Singh, D/O- Mithilesh Kumar Singh, R/O Village- Harisinghpur Kothi, P.S.- Sarairanjan, District- Samastipur A/P Mohalla- Harrakh, P.S.- Town, District- Begusarai

... .. Opposite Parties

Appearance :

For the Petitioner/s	:	Mr. Anuj Kumar, Advocate
For the State	:	Mr. Ajay Kumar No. 2, APP
For the Complainant	:	Mr. Sandip Kumar Gautam, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

- 3 17-05-2023 Heard learned counsel for the petitioner, learned
counsel for the complainant and learned APP for the State.

Petitioner in the present case is seeking pre-arrest bail in connection with Complainant Case No. 1555(C) /2021 registered for the offences under Sections 323, 307, 498A, 406, 34 of the Indian Penal Code. He has one criminal antecedent in which he is on bail.

Learned counsel for the petitioner submits that the present case arises out of a matrimonial dispute. The marriage was solemnized on 18.02.2018 but thereafter the parties have fallen out and at this stage, they are not feeling comfortable in living together.



Learned counsel for the petitioner submits that to show his bonafides, the petitioner who is a doctor and is having sufficient means, is ready to offer a sum of Rs.15,000/- per month as maintenance subject to any order which may be passed by any competent court of law on this issue or, in case, it is amicably resolved otherwise, considering this aspect of the matter, the petitioner may be granted privilege of anticipatory bail.

Learned counsel for the informant has though opposed the prayer for bail of the petitioner but at the same time, does not dispute that the relationship between the petitioner and the informant has gone sour and at this stage perhaps only a mediation may resolve the dispute otherwise they are not in a position to live together.

Learned counsel for the informant agrees to receive a sum of Rs.15,000/- per month for the time being subject to resolution of the dispute in accordance with law or by an agreement as the case may be.

Learned counsel for the State is present, however, in the nature of the matter, he has nothing to contest.

Having regard to the facts and circumstances of the case, in the nature of the submissions noted hereinabove, this



Court directs that in case of his arrest or surrender within a period of four weeks from today, the petitioner shall be enlarged on bail in connection with Complaint Case No. 1555 (C) of 2021 on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Begusarai, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

And further condition that in terms of his own offer/statement, the petitioner shall start paying Rs.15,000/- per month with effect from May, 2023, the first payment shall be made within one week in the account of the informant which will be made available through the learned counsel. Unless otherwise accorded or decided by a competent court of law, he will continue to pay the amount by 10th day of every month, failing which the informant may file an appropriate application for cancellation of bail.

Let it be recorded that the informant has filed a maintenance case also in which the petitioner has yet not put his appearance.

Learned counsel for the petitioner undertakes that the petitioner shall appear in the said case on the next date and shall participate in the matter.



And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

This application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

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