

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38741 of 2023

Arising Out of PS. Case No.-93 Year-2022 Thana- MAHILA P.S BAGHA District- West
Champaran

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Chandan Kumar Singh @ Chandan Singh Son of Krishna Kumar Singh
Resident of village - Pipra, Police Station - Bhairoganj, District - West
Champaran.

... .. Petitioner

Versus

1. The State of Bihar
2. Shiwangi Kumari Wife of Chandan Singh @ Chandan Kumar Singh
Daughter of Satish Kumar Rao, Resident of village - Pipra, Police Station -
Bhairoganj, At present resident of Peonibagh Baswariya, Ward No.- 22,
Police Station - Bettiah Town, District - West Champaran.

... .. Opposite Parties

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Appearance :

For the Petitioner	:	Mr. Zainul Abedin, Advocate
For the State	:	Ms. Meena Singh, APP
For the O.P. No. 2	:	Mr. Arbind Kumar Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 19-08-2023 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

2. The petitioner in the present case is seeking pre-arrest bail in connection with Mahila P.S. Case No. 93 of 2022 registered for the offences punishable under Sections 341, 323, 379, 354, 498(A), 427, 324, 504/34 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act. He has got no criminal antecedent.

3. As per the prosecution story, the informant got married with the petitioner on 17.04.2019 and after marriage, she gave birth to a girl child. It is alleged that the petitioner and his



family members tortured her for non-fulfillment of demand of dowry. It is alleged that on 15.12.2022, the petitioner along with his brothers assaulted the informant with an intention to kill her.

4. Learned counsel for the petitioner submits that initially the petitioner and the informant were living happy life but after some time, there was a change in the attitude of the informant and she herself left the house of her husband.

5. Learned counsel for the informant submits that in fact the petitioner is working as a Guide to the international travellers and after he started earning substantial amount, he started neglecting his wife and his minor child. It is alleged that the informant is also demanding dowry. It is further submitted that the informant is ready to live with her husband but her husband is not ready to keep her as his legally wedded wife and in this connection, attention of this Court has been drawn towards the observations of the learned Sessions Judge in the impugned order.

6. At this stage, learned counsel for the petitioner submits that to show his bonafide, the petitioner is ready to pay a sum of Rs.4,000/- per month to meet the day-to-day expenses of the informant and the minor daughter, subject to any order which may be passed by a competent court in an appropriate proceeding. It is submitted that the petitioner is also ready to



bear the education expenses of his minor child by paying her admission fee, school fee, tuition fee etc.

7. Having regard to the facts and circumstances of the case, the kind of stand taken by the parties and the offer made by the petitioner to show his bonafide, this Court directs that in case of his arrest or surrender within a period of four weeks from today, the petitioner above named be released on bail in connection with Mahilla P.S. Case No. 93 of 2022 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 Additional Chief Judicial Magistrate, Bagaha, West Champaran, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

8. 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.

9. And further condition that the petitioner shall pay a



sum of Rs.4,000/- (Rupees Four Thousand Only/-) per month w.e.f. the month of August, 2023 for the present, subject to any order which may be passed by a competent court in an appropriate proceeding and such payment shall be made within the first ten days of every month in the bank account of the informant and further the petitioner shall bear the educational expenses such as admission fee, tuition fee, etc. of the minor daughter every month well within time. Breach of this condition shall invite action towards cancellation of bail bond of the petitioner.

10. This application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

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