

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.55781 of 2022**

Arising Out of PS. Case No.-57 Year-2021 Thana- MAHILA P.S. District- Saran

ANISH ANAND SINGH Son of Sri Ram Shobhit Singh Resident of village -  
Kilaghat Tarauni, Ward No.- 3, Near Ram Janki Mandir, P.S.- Bahadurpur,  
District - Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                          |   |                                |
|--------------------------|---|--------------------------------|
| For the Petitioner/s     | : | Mr.Amarendra Narayan, Advocate |
| For the Opposite Party/s | : | Mr.Sunil Kumar Pandey, APP     |
| For O.P. No.2            | : | Mr. Jitendra Kumar, Advocae    |

**CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH**  
**ORAL ORDER**

3      25-04-2023                      Heard Mr. Amarendra Narayan, learned counsel  
appearing on behalf of the petitioner; Mr. Jitendra Kumar, learned  
counsel appearing on behalf of the opposite party no.2 and Mr.  
Sunil Kumar Pandey, learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection with  
Saran Mahila P.S. Case No. 57 of 2021 registered for the offences  
punishable under Sections 341, 323, 504, 379, 498(A), of the Indian  
Penal Code and Sections 3 and 4 of the Dowry Prohibition Act.

3. Mr. Amarendra Narayan, learned counsel appearing on  
behalf of the petitioner submitted that the petitioner is ready to  
keep his wife with full dignity and honour.

4. Mr. Jitendra Kumar, learned counsel appearing on behalf of  
the opposite party no.2 informs this Court that the O.P. No.2 is willing to  
live with the petitioner with full dignity and honour and provide her all  
physical as well as financial needs.



5. Learned APP for the State has vehemently opposed the prayer for grant of pre-arrest bail to the petitioner. He submitted that the matter relates to matrimonial dispute between the husband and the wife and the petitioner has agreed to live along with his wife and he will provide her all physical and economical need. Considering the nature of allegation made against the petitioner, it would be proper that the petitioner be directed to approach his wife for leading a happy matrimonial life.

6. Considering the rival submissions made by the parties and the fact that the petitioner is ready to lead a happy matrimonial life, it would be proper to direct the petitioner to seek protection from the Superintendent of Police, Darbhanga who will provide him proper protection to enable him to visit his matrimonial home situated in Distt. Saran where his wife (opposite party no.2) resides along with her parents. The police official deputed along with the petitioner and the O.P. No.2 must ensure that the parents of the opposite party no.2 don't cause any hindrance in allowing their daughter who is wife of the petitioner to accompany the petitioner so that they can lead a happy matrimonial life without any interference of the parents of the either side. In case the O.P. No.2 has any apprehension that the petitioner will mis-behave her and subject her to torture then in that case she may seek protection from the Superintendent of Police, Saran who will provide her a lady constable to accompany the petitioner along with her husband to her matrimonial home.



7. The Superintendent of Police, Darbhanga is further directed to depute a female police officer not below the rank of the Dy. S.P. to hold a meeting with the husband and wife within two weeks and if it is found that the couple are ready to live together without any complaint, such report must be furnished before the Sub-Divisional Judicial Magistrate, Darbhanga who will grant provisional bail to the petitioner and thereafter he is required to see the conduct of the either parties for a period of one year and if he finds that for any minor reason there is difference then he should strive to reconcile the matrimonial dispute between the husband and the wife and if it is found that no complaint is made by the either parties during the aforesaid period, the provisional bail granted to the petitioner must be made absolute on such terms and conditions as the court below deem it fit and proper and the conditions as laid down under Section 438 (2) of the Cr.P.C.

8. Let a copy of this order be communicated to the Senior Superintendent of Police, Darbhanga.

9. With the aforesaid observation and direction, the bail application stands disposed of.

**(Purnendu Singh, J)**

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