

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73011 of 2022

Arising Out of PS. Case No.-13 Year-2022 Thana- MAHILA P.S. District- Vaishali

Sanjay Kumar Singh @ Monu Singh @ Sanjay Kumar S/O Uma Singh
Resident of village- Ismailpur, P.S.- Bidupur, District- Vaishali.

... .. Petitioner

Versus

1. The State of Bihar
2. Smt. Nitu Kumari @ Nitu Singh W/O Sanjay Kumar Singh @ Monu Singh
@ Sanjay Kumar, D/O Sri Ram Pukar Shukla at present resident of Village-
Rampurani, P.S.- Mahua, District- Vaishali.

... .. Opposite Parties

Appearance :

For the Petitioner	:	Mr. Anirudh Kumar Sinha, ADvocate
For the State	:	Mr. Parmanand Kumar, APP
For the O.P. No. 2	:	Mr. Anish Chandra, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 29-04-2023 Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the Informant.

The petitioner in the present case is the husband of the informant (O.P. No. 2). He is seeking pre-arrest bail in connection with Hajipur Mahila P.S. Case No. 13 of 2022 registered for the offences punishable under Sections 341, 323, 379, 498(A), 504, 506, 34 of the Indian Penal Code.

As per the prosecution story, the marriage between the petitioner and the informant took place in the year 2012. They have a daughter aged about 7 years. It is alleged that the petitioner was demanding a motorcycle from the father of the informant and due to non-fulfillment thereon the petitioner indulged in committing cruelty on the informant. The informant



is said to have ousted with her daughter from the matrimonial house.

Learned counsel for the petitioner submits that the allegations are false and flimsy. The petitioner is having a private job outside his village and the informant does not want to live in the village. Learned counsel for the petitioner submits that he is ready to keep his wife and daughter at the place where is he working.

Learned counsel for the informant submits that in such circumstance if the petitioner agrees to keep the informant and her daughter at the working place with full dignity and care, she would have no objection to the grant of pre-arrest bail.

Having regard to the facts and circumstances of the case, considering the submissions of learned counsel for the petitioner, this Court directs that the petitioner above named in the event of his arrest or surrender within a period of four weeks from today be released on **provisional bail** in connection Hajipur Mahila P.S. Case No. 13 of 2022 on furnishing bail bonds of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.



And further condition that within two weeks from the date of surrender, the petitioner shall take his wife and daughter with him to his place of posting where he will keep them in full dignity and care. After watching over the conduct of the petitioner for six months, the court below shall consider confirmation of bail of the petitioner on such terms and conditions which may be just and proper.

This application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

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