

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5021 of 2023

Arising Out of PS. Case No.-1185 Year-2022 Thana- BEGUSARAI COMPLAINT CASE
District- Begusarai

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JAWAHAR SINGH Son of Shashi Bhushan Singh Resident of- Belhar,
Chandan Nagar, P.O.- Manjhli, Mathani, P.S.- Belhar, District- Banka
... .. Petitioner

Versus

1. The State of Bihar
2. Annu Kumari Wife of Jawahar Singh Resident of Belhar, Chandan Nagar,
P.O.- Manjhli, Mathani, P.S.- Belhar, District- Banka. D/O Arvind Kumar
Singh, Resident of Balia, Chandan Nagar, P.S.- Belhar, District- Banka. At
present residing at- Sakarpura, P.S.- Bakhari, District- Begusarai

... .. Opposite Parties

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Appearance :

For the Petitioner/s	:	Mr.Pritish Kumar Lal, Advocate
For the Informant	:	Mr.Sandip Kumar Gautam, Advocate
For the State	:	Mr.Khurshid Anwar, APP

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 16-05-2023 Heard learned counsel for the petitioner, learned

counsel for the complainant- O.P. No. 2 and learned APP for the

State.

The petitioner in the present case is seeking pre-arrest
bail in connection with Complaint Case No.- 1185 of 2022
registered for the offences punishable under Section 498(A) of
the Indian Penal Code. He has got no criminal antecedent.

Learned counsel for the petitioner submits that the
petitioner who is the husband of the complainant is alleged to have
tortured the complainant due to non-fulfillment of demand of dowry.

Learned counsel for the petitioner submits that the



petitioner is innocent and has been falsely implicated in this case under evil design of complainant and her family members for extorting money.

Learned APP for the State has opposed the prayer for anticipatory bail of the petitioner.

Having regard to the facts and circumstances of the case, the kind of relationship between the parties and the statement of learned counsel for the opposite party no. 2 that it is not possible now for O.P. no. 2 to live with this petitioner but the petitioner is not appearing in the maintenance case which is causing hardship to the O.P. No. 2 and her two children who are with her, this Court while granting privilege of anticipatory bail to the petitioner would take note of the willingness on the part of the petitioner that for the present he is ready to pay Rs. 5,000/- per month to his wife and children for their maintenance subject to the result of the case, directs as under:-

In case of his arrest or surrender within a period of four weeks from today in connection with Complaint Case No.- 1185 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 Judicial Magistrate- IInd Class, 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 statement made at the Bar, the petitioner shall pay Rs. 5,000/- per month to his wife and children by 10th of every month. In case, the petitioner fails to abide by his promise, the O.P. No. 2 shall bring it to the notice of learned court below whereupon action shall be taken for cancellation of the anticipatory bail of the petitioner. This amount is subject to result of the maintenance case.

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.

(Rajeev Ranjan Prasad, J)

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