

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30046 of 2024

Arising Out of PS. Case No.-142 Year-2021 Thana- ROHTAS COMPLAINT CASE District-
Rohtas

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RAMESH SINGH S/O TULSI SINGH @ TULSI R/O VILL- 1544/D PLANT
DIPO COLONY, P.S- MUGALSARAI, DISTT.- CHANDAULI.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. VARSHA DEVI D/O BINOD KUMAR SINGH, W/O RAMESH SINGH
R/O VILLAGE- DARIHAT, P.S- DARIHAT, DISTT.- ROHTAS.
PERMANENT ADD- 1544/D PLANT DIPO COLONY, P.S-
MUGALSARAI, DISTT.- CHANDAULI.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Manish Kumar
For the Opposite Party/s	:	Mr. Lakshmi Kant Sharma
For the O.P. No. 2	:	Mr. Dharmendra Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 26-10-2024 1. Heard learned counsel for the petitioner, learned
A.P.P. for the State and the learned counsel appearing on behalf
of the O.P. No. 2.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 498A,
506, 427, 323 and 34 of the Indian Penal Code read with
Sections 3 and 4 of the Dowry Prohibition Act.

3. Learned counsel for the petitioner submits that
petitioner, being husband, has been falsely implicated in the
instant case by the O.P. No. 2. It is also submitted that the case
was referred for mediation, but then the mediation failed. It is



further submitted that the relationship in between the petitioner and the O.P. No. 2 has soured to an extent where it is not possible to revive the conjugal relationship, but then it is submitted that O.P. No. 2 is staying in the house of the petitioner, it is next submitted that petitioner, as husband, is aware of his responsibilities. It is also submitted that presently though O.P. No. 2 is staying with the petitioner in his house but are not on talking terms, but then petitioner takes care of all her needs. It is further submitted that may be in future, the parties may resolve their dispute. It is next submitted that petitioner, as husband, is aware of his responsibilities and based on instruction, it is submitted that petitioner will pay a monthly maintenance of Rs. 5,000/- to the O.P. No. 2 which shall commence from 11.11.2024.

4. The learned counsel appearing on behalf of the O.P. No. 2 also does not dispute the said submission of the learned counsel appearing on behalf of the petitioner that O.P. No. 2 is residing in the house of the petitioner, but then submits that they are not on talking terms. It is fairly submitted that no useful purpose would be served by sending the petitioner to jail when petitioner is willing to pay a monthly maintenance of Rs. 5,000/- to the O.P. No. 2. It is also submitted that may be with passage



of time and on intervention of well wishers, the parties may resolve their dispute.

5. It is further submitted that he will *Whatsapp* the bank account number of the O.P. No. 2 on the *Whatsapp* number of the learned counsel appearing on behalf of the petitioner and the learned counsel appearing on behalf of the petitioner undertakes to communicate the same to the petitioner so that the monthly maintenance, as agreed, commences from 11.11.2024.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Complaint Case No. 142 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. However, it is made clear that the O.P. No. 2 shall be at liberty to file an application before this Court seeking cancellation of the anticipatory bail granted to the petitioner in the event if the petitioner does not deposit/give the amount of



monthly maintenance, as agreed, for two consecutive months.

8. It is further made clear that the present maintenance will stop, if the maintenance is fixed by a Court of competent jurisdiction.

9. Accordingly, the instant anticipatory bail application stands allowed.

(Satyavrat Verma, J)

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