

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38246 of 2024

Arising Out of PS. Case No.-67 Year-2022 Thana- MAHILA P.S. District- Rohtas

Manoranjana Singh S/O Sri Madan Singh R/O Village- Barna, P.S- Bikramanj,
Distt.- Rohtas, Sasaram At Present R/O Quarter No. 642, Sector- 3a Bokaro,
State- Jharkhand.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Anpurna Kumari D/O Kamlesh Singh R/O Village- Tilauthu, P.O And P.S-
Tilauthu, Distt.- Rohtas Sasaram.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Santosh Kumar
For the Opposite Party/s : Mr. Nirmala Kumari

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 01-10-2024 1. Heard learned counsel for the petitioner, learned
APP for the State and the learned counsel appearing on behalf of
O.P. No. 2.

2. The petitioner seeks bail in anticipation of his
arrest in a case registered for the offences punishable under
Sections 323, 498A, 504 and 34 of the Indian Penal Code and
Sections 3 and 4 of the Dowry Prohibition Act.

3. The learned counsel appearing on behalf of the O.P.
No. 2 submits that the case was referred for mediation but then
the mediation proceeding failed. The said submission of the
learned counsel appearing on behalf of the O.P. No. 2 is not
disputed by the learned counsel appearing on behalf of the



petitioner. The report of the learned Mediator is not on record, but since, it has been submitted by both the learned counsel for the parties that mediation proceeding failed, as such, the Court accepts the same.

4. The learned counsel appearing on behalf of the petitioner submits that though mediation proceeding has failed but petitioner is still ready to keep the O.P. No. 2 with honor and dignity. It is submitted that before the learned Mediator it was O.P. No. 2, who showed her reluctance to accompany the petitioner, it is next submitted that out of the wedlock, three children were born, who presently are residing with the O.P. No. 2. It is also submitted that petitioner being father is aware of his responsibilities and he has been continuously making deposits with the post office in name of his daughter, which till date has swelled to an amount of Rs. 5 lacs.

5. The learned counsel further submits that petitioner is working with Bokaro Steel Plant as a Technician and his take home salary is in between Rs. 35,000/- to 40,000/-. It is also submitted that petitioner being husband is aware of his responsibilities towards the O.P. No. 2 and his children but then submits that even O.P. No. 2 works in a private school as a Clerk but then also petitioner is willing to pay a monthly



maintenance of Rs. 10,000/- to the O.P. No. 2 and the children.

It is also submitted that no useful purpose would be served by sending the petitioner to jail as chances of future reconciliation will also get marred.

6. The learned counsel appearing on behalf of O.P. No. 2, based on instructions submits that even O.P. No. 2 is not interested in sending the petitioner to jail. It is fairly submitted that if petitioner is send to judicial custody, the chances of future re-conciliation will become bleak. It is submitted that with passage of time and on intervention of well wisher, the parties may resolve the dispute amicably. It is also submitted that the Bank account of the O.P. No. 2 shall be whatsapped 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 10.10.2024.

7. 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 Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 5,000 /- (Rupees



Five Thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M. Dehri (Rohtas) in connection with Dehri Mahila P.S. Case No. 67 of 2022, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

8. However, O.P. No. 2 shall be at liberty to file an application seeking cancellation of the anticipatory bail granted to the petitioner in the event, if the petitioner does not deposit the amount of maintenance as agreed for two consecutive months.

9. It is made clear that the present maintenance shall stop, the moment a Court of competent jurisdiction fixes maintenance.

10. The application stands allowed.

(Satyavrat Verma, J)

Sudhanshu/-

U		T	
---	--	---	--

