

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38236 of 2023

Arising Out of PS. Case No.-1589 Year-2021 Thana- SIWAN COMPLAINT CASE District-
Siwan

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SHEKHAR SINGH @ SHEKHAR KUMAR SINGH Son of Mahipal Singh
Resident of village - Gurung Basti Veer Javan More, P.s.- Pradhan Nagar,
Distt. - Darjeeling (West Bengal)

... .. Petitioner/s

Versus

1. The State of Bihar
2. Pammi Singh Wife of Shekhar Singh @ Shekhar Kumar Singh R/o Gurung Basti Veer Javan More, P.S. - Pradhan Nagar, Distt. - Darjeeling (West Bengal). D/o Rajendra Singh, Resident of village and P.O. - Tiay, P.S. - Andar, Distt. - Siwan, M.No. - 8002339862

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mirtyunjay Kumar Mishra
For the Opposite Party/s : Mr. Jharkhandi Upadhyay

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 21-02-2024 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State Mr. Jharkhandi Upadhyay along with learned
counsel for the O.P. No.2.

2. The petitioner apprehends his arrest in connection
with Complaint Case No.1589/2021 registered for the offence
punishable under Sections 498(A), 323, 325, 406, 313, 307 of
the Indian Penal Code & Sections 3 and 4 of the D.P. Act.

3. Learned counsel for the petitioner submits that
petitioner being husband has been falsely implicated in the
instant case with general and omnibus allegations. It is next
submitted that the case was referred for mediation but then the



mediation proceeding failed. It is next submitted that whether it was fault of the petitioner or the O.P. No.2 cannot be adjudicated in the present anticipatory bail application but then the petitioner in order to show his bonafide is willing to pay a monthly maintenance of Rs.5500/- per month to the O.P. No.2 for her maintenance which shall be commenced from 11.03.2024.

4. Learned counsel for the O.P. No.2 for the present based on instruction does not oppose the anticipatory bail application of the petitioner. It is also submitted that the learned counsel shall forward the bank account number of the O.P. No.2 on the whats app of the learned counsel for the petitioner and the learned counsel undertakes to communicate the same to the petitioner so that the maintenance as agreed commences from 11.03.2024.

5. Considering the submissions made by the learned counsels for the parties, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.5000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned CJM, Siwan in connection with



Complaint Case No.1589/2021, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

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

(Satyavrat Verma, J)

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