

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43578 of 2023

Arising Out of PS. Case No.-2452 Year-2022 Thana- SIWAN COMPLAINT CASE District-
Siwan

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Rajan Singh S/O Devsaran Singh R/O Village- Jagatpur Chaumukha, P.S-
Lakri Nawiganj (Basantpur), Distt.- Siwan.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Neha Kumari D/O Manoj Singh R/O Village- Padauli, P.S- Lakri Nawiganj
(Basantpur), Distt.- Siwan.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rakesh Mohan Singh, Advocate

For the Opposite Party/s : Mr. Narsingh Tanti, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

5 19-02-2024 Heard learned counsel for the petitioner, learned

APP for the State along with learned counsel for the

Opposite Party No. 2.

2. The petitioner apprehends his arrest in connection

with Complaint (Siwan) Case No. 2452 of 2022, registered

for the offences punishable under Sections 323, 341, 498A of

the Indian Penal Code along with Section 3/4 of the Dowry

Prohibition Act.

3. Learned counsel for the petitioner submits that the

dispute is matrimonial and the petitioner being husband has

been falsely implicated in the instant complaint case by the

Opposite Party No. 2 with general and omnibus allegation. It



is next submitted no doubt, it is the bonded duty of the husband to ensure the well-being of his wife, but then the entire family came to be implicated in a false and frivolous case. Learned counsel for the petitioner based on instruction of the petitioner submits that the petitioner is willing to pay a monthly maintenance of Rs. 6000/- (Six Thousand) to the Opposite Party No. 2 which shall commence from 01.03.2024. The learned counsel appearing on behalf of the Opposite Party No. 2, on instruction for the present, does not oppose the anticipatory bail of the petitioner as petitioner is willing to pay a monthly maintenance of Rs. 6000/- (Six Thousand) to the Opposite Party No. 2.

4. The learned counsel for the Opposite Party No. 2 submits that he will Whatsapp the bank account number of the Opposite Party No. 2 on the Whatsapp no. of the learned counsel for the petitioner and the learned counsel for the petitioner undertakes to communicate the same to the petitioner, so that the monthly maintenance commences from 01.03.2024.

5. Considering the submissions made by the learned counsel 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 Sub Divisional Judicial Magistrate, Siwan, where the case is pending/successor court in connection with Complaint (Siwan) Case No. 2452 of 2022, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

6. However, it is made clear that the Opposite Party 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 the two consecutive months, does not pay the monthly maintenance as agreed.

(Satyavrat Verma, J)

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