

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53923 of 2024**

Arising Out of PS. Case No.-3362 Year-2022 Thana- VAISALI COMPLAINT CASE
District- Vaishali

Prashant Kumar Singh @ Raushan, Son Of Harendra Narayan Singh Village-
Jamhra, PS- Saur Bazar, District- Saharsa

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Tanuja Kumari, Wife Of Prashant Kumar Singh @ Raushan, Village-
Basudeopur Chandel, P.S.- Mahnar, District- Vaishali

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Satish Kumar Singh, Advocate

For the Opposite Party/s : Mr. Arun Kumar Pandey, APP

**CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER**

3 26-10-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner apprehends his arrest in connection
with Hajipur Vaishali Complaint Case No. 3362 of 2022 P.S.
Case No. 374 of 2022 registered for the offences punishable
under Sections 498 (A) of the Indian Penal Code.

3. As per prosecution case, due to non-fulfillment of
demand of dowry, the petitioner and other accused persons have
started torturing and assaulting the informant and refused to
keep and give her maintenance.

4. Learned counsel for the petitioner submits that the
petitioner is innocent, has committed no offence. The



complainant herself does not want to live with the petitioner. The petitioner has filed Matrimonial (Restitution) Case No. 50 of 2022 under Section 9 of the Hindu Marriage Act, before the Principal Judge, Family Court, Saharsa, in which order has been passed in favour of the petitioner. He further submits that the petitioner is ready to keep the complainant with honor and dignity. Petitioner has no criminal antecedent and he is ready to make the payment of Rs. 3,000/- per month to the complainant for her maintenance.

5. Learned APP opposes the prayer for anticipatory bail of the petitioner and submits that the petitioner used to torture the complainant. However, he submits that petitioner is liable to make maintenance amount to the complainant.

6. In view of the submissions of the learned counsel for the parties and considering the facts and circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the concerned Court where the case is pending in connection with Hajipur Vaishali Complaint Case No. 3362 of



2022, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure with further condition that:

(i) The petitioner shall make payment of Rs. 3,000/- per month as undertaken, by depositing the same in the first week of each month in the bank account of the complainant for which the bank account shall be provided by the complainant. It is needless to say that the said payment shall be adjustable against maintenance order, if any, passed in favour of complainant.

(ii) In case of failure or non-deposit of the said amount on two consecutive dates, the trial court may consider to cancel the bail of the petitioner.

(Sunil Dutta Mishra, J)

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