

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65278 of 2023

Arising Out of PS. Case No.-210 Year-2023 Thana- KOILWAR District- Bhojpur

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Ravi Kumar Singh @ Deepak Kumar, S/o- Damodar Singh, Village- Rajapur
P.S.- Koilwar Dist- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Shiv Prasad Gupta, Advocate
For the O.P. No.2	:	Mr. Praveen Kumar, Advocate
For the State	:	Mr. Sanjay Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

9 26-10-2024 Heard Mr. Shiv Prasad Gupta, learned counsel for the

Petitioner and Mr. Praveen Kumar, learned counsel for the O.P.

No.2 and Mr. Sanjay Kumar, learned APP for the State.

2. The petitioner apprehends his arrest in connection with Koilwar P.S. Case No. 210 of 2023 dated 14.04.2023 registered for the offences punishable under Sections 341, 323, 307, 498 (A) read with Section 34 of the Indian Penal Code and Sections 3/4 of the Dowry Prohibition Act.

3. Learned counsel appearing for the petitioner submits that in compliance with direction given on 02.09.2024 he took his wife to his house and thereafter, they started residing together happily but in the meantime, some disputes again arose in between them, then his wife called upon the police and left his house and in view of the behavior of his wife, there is no chance



of reunion of both the spouses in the present time, however, the petitioner is ready to pay Rs. 4,000/- per month as maintenance of his wife as well as his one child who is presently residing with the O.P. No. 2.

4. On the contrary, learned counsel appearing for the O.P. No. 2 submits that the petitioner's allegation is completely false and it is true that the O.P. No. 2 started residing in the company of this petitioner in compliance of this Court's direction but even then the petitioner's conduct did not change with her and he again started torturing her and even threw the child of the O.P. No. 2 to the ground which resulted in injuries to her child and thereafter, she had to take the help of the police and the police rescued her, however, the O.P. No. 2 is ready to receive the amount of Rs. 4,000/- per month which has been proposed by the petitioner as an interim relief maintenance for her and her child but the said amount will be the subject of the order of the Competent Court with regard to the maintenance issue.

5. Considering the above submissions particularly petitioner's undertaking as to his readiness to pay the amount of Rs. 4,000/- per month to his wife (O.P. No.2) for her maintenance and also the fact that if the petitioner is taken into custody then any chance of reunion of both the spouses in near future will become impossible, in my opinion, the petitioner deserves to the



privilege of anticipatory bail. Accordingly, let the petitioner named-above, 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 the bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned in connection with Koilwar P.S. Case No. 210 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

6. The petitioner shall pay Rs. 4,000/- per month to his wife (O.P. No. 2) till she resides separately from him or till any adverse order is passed against the O.P. No.2 by a Competent Court and the said amount shall be the subject of the order of a Court which will decide the issue of the maintenance relating to the O.P. No. 2 and if an order from such court is passed then the maintenance paid under this order shall be adjusted with the said granted amount, if the petitioner fails to comply with this order then the learned trial court shall take strict action against him by cancelling his bail bond.

(Shailendra Singh, J)

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