

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66487 of 2022

Arising Out of PS. Case No.-850 Year-2020 Thana- COMPLAINT CASE District- Jamui

ANUJ KUMAR SINGH @ ANOJ KR. SINGH Son of Late Sudhir Singh
R/v- Chauhandih, P.S.- Khaira, District- Jamui

... .. Petitioner/s

Versus

1. The State of Bihar
2. MONI KUMARI Wife of Anuj Kumar Singh @ Anoj Kr. Singh, Daughter of Nakul Prasad R/v- Nawadih, P.S.- Sikandra, District- Jamui

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Kumar

For the Opposite Party/s : Md. Matloob Rab

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 06-05-2024 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 323 and 498A of the Indian Penal Code read with Sections 3 and 4 of the Dowry Prohibition Act.

3. In view of the office report dated 03.04.2024, it manifests that the same records that O.P. No. 2 refused to receive the notice. Since the O.P. No. 2 has refused to receive the ordinary notice, as such, the notice is deemed to have been validly served.

4. The learned counsel for the petitioner submits that



petitioner being husband has been falsely implicated in the instant case with exaggerated allegations and that perhaps explains why the O.P. No. 2 refused to accept the notice as she does not have a valid defence for opposing the anticipatory bail application of the petitioner. It is further submitted that petitioner works as a driver and earns about Rs. 10,000-12,000/- a month.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner and submits that the O.P. No. 2, on account of financial hardship, refused to accept the notice knowing that she cannot afford a learned lawyer before the Hon'ble High Court, on which learned counsel appearing on behalf of the petitioner submits that petitioner is still willing to keep the O.P. No. 2 with honour and dignity and in order to establish his *bona fide* is willing to pay a monthly maintenance of Rs. 3,000/- which shall commence from 13.05.2024. It is also submitted that since petitioner is willing to keep and maintain the O.P. No. 2, as such, no useful purpose would be served by sending the petitioner to jail.

6. 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 trial court



within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Complaint Application No. 850-C of 2020 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. However, it is made clear that the O.P. No. 2 shall be at liberty to file an application before this Court seeking cancellation of the anticipatory bail granted to the petitioner in the event if the petitioner does not deposit the amount of monthly maintenance, as agreed, for two consecutive months.

8. Accordingly, the present anticipatory bail application stands allowed.

(Satyavrat Verma, J)

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