

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70701 of 2022

Arising Out of PS. Case No.-12 Year-2022 Thana- MAHILA PS District- East Champaran

ROHIT KUMAR TIWARI S/O Late Rameshwar Tiwari R/O Village-
Ekderwa P.S- Paharpur, District- East Champaran

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhannjay Kumar No. 2, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Sharma, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

5 15-02-2024 1. Heard learned counsel for the petitioner, learned
A.P.P. for the State and learned counsel for the
informant/opposite party no. 2.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 498(A)/34
of the Indian Penal Code and Sections 3 and 4 of the Dowry
Prohibition Act.

3. Learned counsel for the petitioner submits that
petitioner and the informant are husband and wife and the
matter was referred for mediation but then mediation failed. It is
further submitted that the relationship has deteriorated to an
extent that is it not possible to reconstitute the conjugal rights.
However, it is submitted that petitioner has been falsely
implicated in the present case but then petitioner is willing to
pay a monthly maintenance of Rs.4,000/- to the informant



towards her maintenance.

4. Learned counsel appearing on behalf of the informant based on instruction submits that informant does not have any objection in the event if the anticipatory bail application is allowed provided the petitioner pays an amount of Rs.4,000/- by way of monthly maintenance to the informant.

5. Learned counsel appearing on behalf of the informant submits that she will Whatsapp the bank account number of the informant on the Whatsapp number of the learned counsel appearing on behalf of the petitioner.

6. Learned counsel for the petitioner undertakes to communicate the bank account number of the informant to the petitioner so that the monthly maintenance commences from 01.03.2024.

7. 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.5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Motihari Mahila



P.S. Case No. 12 of 2022, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

8. However, it is made clear that the informant shall be at liberty to file an application seeking cancellation of the anticipatory bail granted to the petitioner in the event if the petitioner for two consecutive months does not pay the monthly maintenance as agreed.

(Satyavrat Verma, J)

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