

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5110 of 2025

Arising Out of PS. Case No.-3508 Year-2022 Thana- SARAN COMPLAINT CASE District-
Saran

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Akhilesh Kumar Singh S/o- Sahdev Singh Village- Thikahan Maricha Ps-
Garkha Dist- Saran at Chapra

... .. Petitioner/s

Versus

1. The State of Bihar
2. Lalita Devi W/o- Akhilesh Kumar Singh, D/o- Kameshwar Singh Village-
Bajidpur Ps- Garkha Dist- Saran

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Mr. Dewendra Narayan Singh, Advocate
For the Opposite Party/s :	Mr. Bharat Bhushan, APP
	Mr. Lalan Kumar, APP
For the Informant :	Mr. Ghanshyam Tiwary, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

5 08-08-2025 Heard Mr. Dewendra Narayan Singh, learned counsel

for the petitioner, Mr. Bharat Bhushan and Mr. Lalan Kumar,

learned APP as also Mr. Ghanshyam Tiwary learned counsel for

the informant.

2. The petitioner is in custody since in connection
with Complaint Case No. 3508 of 2022 in which cognizance has
been taken for the offences punishable under Sections 498(A),
504, 323/34 of the Indian Penal Code by the informant, Lalita
Devi.

3. Pursuant to the last order, it has jointly informed by
the parties that the petitioner is paying Rs. 12,000/- to the lady
in her A/C No. 50335784469 (Allahabad Bank Garkha, Dist-
Siwan) and the payment is made regular for the lady as also the



three children. The petitioner is present in the Court and he undertakes to make payment regularly and if he fails to do so is ready to face the consequences.

4. It has informed by the lady that the three children are not going to the school. It is unfortunate that despite the parents being alive, the children are not going to the school when there is State/ Central Policy that each and every child has to reach the school. The parents are jointly responsible for that and they shall ensure that the children are admitted to a nearest school and if they have any problem, can consult the local Block Development Officer/ Circle Officer who are the In-charge of the village Tikahan under Police Station Garkha, Chapra and the two officers shall be duty bound to ensure that the children reaches school following the Right to Education Policy.

5. For the record, the prosecution story is that, the complainant is the legally wedded wife got married in the year 2013 but was always tortured for dowry and when it became unbearable, the case.

6. Taking into account the aforesaid facts as also the positive development that has taken place and the husband has assured that the children will go to the school and will be pursuing the education, he will ensure that the lady do not have



any problem in future, in that background, this Court is inclined to grant him the anticipatory bail with conditions.

7. It is made clear that if the petitioner fails to abide the terms and conditions and/ or fail to pay the amount regularly to the lady, she can always seek prayer for cancellation of the bail.

8. The Block Development Officer, Garkha/ Circle Officer, Garkha are directed that once the order is produced before them, they shall be taking steps to get the three children admitted to the school nearer home where the mother is residing.

9. Let the petitioner in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-XI, Saran at Chapra in connection with Complaint Case No. 3508 of 2022 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family members/relatives of the petitioner, who shall provide official document to show his *bona fide*;



(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial court itself;

(iii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.;

(Rajiv Roy, J)

Raj Ranjan/-

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