

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.42955 of 2025**

Arising Out of PS. Case No.-128 Year-2014 Thana- KATIHAR COMPLAINT CASE  
District- Katihar

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Kamal Singh @ Komal Singh S/o Siblu Singh R/o Vill.- Roshna Bazar, PS-  
Pranpur, Distt.- Katihar

... .. Petitioner/s

Versus

1. The State of Bihar
2. Savitry Devi D/o Mantu Singh R/o Vill.- Roshana Bazar, PS- Pranpur,  
Distt.- Katihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Umesh Kumar Yadav

For the Opposite Party/s : Mr. Rajendra Prasad Nat

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**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

5      13-10-2025                      1. Heard learned counsel for the petitioner and  
learned APP for the State.

2. The petitioner seeks bail in anticipation of his  
arrest in a case registered for the offences punishable under  
Section 498(A)/ 34 of the Indian Penal Code.

3. The learned counsel for the petitioner submits that  
the petitioner, being husband, has been falsely implicated in the  
instant case by the complainant. It is next submitted that  
petitioner has always been ready to keep the opposite party no.2  
with honour and dignity. It is also submitted that the case was  
taken up on 16.07.2025 and notices were issued on opposite  
party no.2 and opposite party no.2 despite receiving notice



chooses not appear, which amply demonstrates that opposite party no.2 is not interested in reviving her conjugal relationship. It is next submitted that petitioner was married to the opposite party no.2 about 25 years back and out of the wedlock, three children were born and presently they are aged about 23, 20 and 18 years. It is further submitted that daughter of the petitioner is aged about 20 years whose marriage has been performed and the opposite party no.2 is staying with her son, who are earning. It is next submitted that opposite party no.2 never tried to contact the petitioner though petitioner from his end tried to revive his conjugal relationship. It is also submitted that petitioner is a farmer while sons of the petitioner are looking after the opposite party no.2 and the opposite party no.2 is still carrying the differences which arose in between them, thus does not intend to come back to her matrimonial home. It is further submitted that petitioner, being husband, is aware of his responsibility and is willing to pay a monthly maintenance Rs.3,000/- which shall commence from 01.11.2025.

4. The learned A.P.P. fairly submits that since petitioner is willing to pay a monthly maintenance of Rs.3,000/-, as such, no useful purpose would be served by sending the petitioner to jail when marriage is more than 25 years old and



may be with passage of time and on intervention of well-wishers, the parties may resolve their dispute.

5. After hearing 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, is directed to be released on anticipatory bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned District & Additional Sessions Judge-3, Katihar in connection with Katihar Complaint Case No.128 of 2014, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

6. The application stands allowed.

7. However, it is made clear that the opposite party no.2 shall be at liberty to file an application seeking cancellation of anticipatory bail of the petitioner, in the event, if the petitioner does not pay the monthly maintenance as agreed for two consecutive months.

**(Satyavrat Verma, J)**

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