

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56489 of 2025

Arising Out of PS. Case No.-5256 Year-2024 Thana- PATNA COMPLAINT CASE District-
Patna

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Santosh Kumar Singh S/o Late Ramchandrar Prasad @ Ramchandrar Ram
Resident of Village-Bakapur Union Press Gali, Ward No-27, Police Station-
Kotwali, District-Munger

... .. Petitioner/s

Versus

1. The State of Bihar
2. Meera Devi W/o Santosh Kumar Singh R/o vill - Bekapur, Union Press Gali,
ward no. 27, P.S. - Kotwali, Distt.- Munger, at present R/o Mohalla -
Baskoyhi Digha, Post - Digha Ghat, P.s.- Digha, Distt.- Patna

... .. Opposite Party/s

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Appearance :
For the Petitioner/s : Mr.Mrigendra Pratap Singh
For the Opposite Party/s : Mr.Kumar Ranjit Ranjan

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 19-09-2025 Heard the parties.

2. The petitioner is apprehending arrest in connection
with Complaint Case No. 5256(c) of 2024 instituted under
Sections 321, 327, 354, 356, 498(A) of the Indian Penal Code
and 3/4 of the Dowry Prohibition Act filed by the complainant,
Meera Devi.

3. As per the complaint, the marriage took place in
the year 2005 and at the time of marriage, dowry was given but
later, the petitioner who is serving with the Border Security
Force started torturing, in between, they had two children who
are now 18 and 14 years old living with the mother. The



allegation is that subsequently, she had to go out of the house.

4. Pursuant to the last order, the couple alongwith the elder son is present in the Court. After deliberation with the couple, this Court is of the opinion that for the present, they are not ready to live under the same roof. The facts which are not part of the petition is that the petitioner has preferred Matrimonial (divorce) Case No. 285 of 2023 before the Family Court, Munger which is presently pending and the lady has preferred Maintenance Case in the year May, 2024 in which which have been issued to the husband but he is not appearing.

5. On the instruction of the petitioner, learned Senior Counsel submits that till a decision comes in the Maintenance Case, the petitioner on his own would like to contribute Rs.10,000/- per month to the lady in her SBI Bank Account No. 20178653049 (Branch Code- 1230) which shall be transferred to her account every 10th of the month and this month for “Durgapuja” festival, he shall be transferring Rs.5000/- to her account.

6. Learned APP as also learned counsel for the informant though opposes the prayer for anticipatory bail concedes that since the couple has come and do not want to move further, for the present, in that background, and in the



aforesaid facts and circumstance that the petitioner is serving in the Border Security Force, Jaisalmer, sending him to jail will serve no purpose, in that background, this Court is inclined to extend him the privilege of anticipatory bail subject to payment as under:

(i) Rs. 10,000/- per month which shall come in the bank account (details given above) on 10th of every month of 2025;

(ii) the petitioner shall be providing Rs.5000/- this month itself;

(iii), the present order shall merge with the order passed by the Family Court, Munger in Maintenance Case filed by the petitioner;

(iv) failure to do so, the lady shall be free to take steps for cancellation of bail bond.

7. It is made clear that the petitioner who on his own is transferring the certain amount to the account of his sons for their educational/other purpose shall continue.

8. Let the petitioner be released on bail, in the event



of his arrest or surrender before the concerned court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each in connection with Complaint Case No. 5256(c) of 2024 to the satisfaction of learned Judicial Magistrate-1st Class, Patna subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also the other conditions.

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her 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 co-operate in the investigation and make himself available to the police as and when required;

(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 his bail bonds.

(Rajiv Roy, J)

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