

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64080 of 2024

Arising Out of PS. Case No.-48 Year-2024 Thana- MAHILA P.S. District- Siwan

Mahendra Pratap Singh Son Of Jitendra Singh Village- Bahiyari, Po- Bahiyari Baghel, Ps- Bhatpur Rani, Dist- Deoria Up

... .. Petitioner/s

Versus

- 1. The State of Bihar
- 2. Priyanka Singh @ Priyanka Kumari Wife Of Mahendra Pratap Singh, Daughter Of Chhtrapati Shivaji @ Chhatrapati Shivaji Singh Village- Sisawan Bujurg, Ps- Mairwa, Dist- Siwan

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Akshay Lal Pandit, Advocate
		Mr. Arbind Kumar, Advocate
For the Opposite Party/s	:	Dr. Kumar Uday Pratap, APP
For the Informant	:	Mr. Bijay Prasad, Advocate

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

6 15-05-2025 Heard learned counsel for the petitioner, learned counsel for the informant and learned APP for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 341, 323, 498A and 34 of the Indian Penal Code and under Section 3/4 of the D.P. Act.

3. By an earlier order, the matter had been sent to the Patna High Court Mediation and Conciliation Centre for resolution of disputes between the parties but the same has also failed.

4. Petitioner, who is husband of opposite party no2., is



said to have ousted the opposite party no.2 from her matrimonial home in association of his family members over the dowry demand and torture.

5. Learned counsel for the petitioner submits that the allegations are not correct and the petitioner was always ready to keep the opposite party no. 2 with full honor and dignity but it is the opposite party no. 2 who is not desirous of carrying on with the relationship. It is also submitted that the petitioner has also filed a case under Section 9 of the Hindu Marriage Act for restitution of conjugal rites and the petitioner has no criminal antecedent.

6. Learned counsel for the opposite party no. 2 however, opposes the grant of anticipatory bail and supports the allegations made in the First Information Report.

7. At this stage, the petitioner offers to give Rs.3500/- (Rupees Three Thousand Five Hundred) per month to opposite party no.2 in first week of every month. It goes without saying that the aforesaid payment shall be subject to any order passed in matrimonial maintenance case or any other collateral proceeding.

8. In such view of the matter, let the above named petitioner, be released on bail on furnishing bail bond of



Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned S.D. Judicial Magistrate, Siwan, in connection with Mahila P.S. Case No. 48 of 2024 subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure/Section 482 (2) of the B.N.S.S., 2023 and subject to the further condition that the petitioner shall co-operate in the investigation/trial. If the O.P. No.2 furnishes the bank account in which the amount can be transferred, and yet the petitioner fails to give the aforesaid amount on two consecutive dates to opposite party no.2, the O.P. No. 2 would be at liberty to file cancellation of bail.

9. Learned counsel for the opposite party no. 2, under instruction, submits that opposite party no. 2 undertakes to provide her bank account details to the petitioner within a period of two weeks by submitting the same on affidavit before the learned Court below.

10. Accordingly, this application stands disposed of.

(Soni Shrivastava, J)

Raj Ranjan/-

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