

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67331 of 2024

Arising Out of PS. Case No.-221 Year-2023 Thana- ROHTAS COMPLAINT CASE District-
Rohtas

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Krishna Kumar Singh @ Rajesh Son of Sitaram Singh R/O Village- Mistri
Para, Purana Bazar, Near Post Office, Chakuliya, P.O- Chakuliya, P.S-
Chakuliya, Dist- East Singhbhum at Jamshedpur, Jharkhand

... .. Petitioner/s

Versus

1. The State of Bihar
2. Anshu Singh Wife of Krishna Kumar Singh @ Rajesh, D/O Gajendra Singh
Presently Residing at Vill.- Dharpur, P.S.- Vikramganj, Dist.- Rohtas at
Sasaram.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jeetendra Narayan, Advocate
For the Opposite Party/s : Mr. Jharkhandi Upadhyay, APP

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CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

4 10-04-2025 Heard learned Counsel for the petitioner, as also

learned Additional Public Prosecutor for the State and

learned counsel for the complainant.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 323,
341, 498A and 307 of the Indian Penal Code and under
Section 3/4 of the Dowry Prohibition Act.

3. The matter had been sent to the mediation
center for amicable settlement and the mediation report
would go to show that the mediation had failed. The
complaint case was filed by the wife of the petitioner



making an allegation that there was a demand for a car and the wife was subjected to torture on account of the same.

4. Learned counsel for the petitioner submits that the cognizance in this case has been taken under Section 498A and 323 of the Indian Penal Code along with Section 3/4 of the Dowry Prohibition Act. Learned counsel for the petitioner also submits that the allegations levelled against the petitioner with regard to the demand and torture are absolutely false and as a matter of fact, that due to matrimonial disharmony between the petitioner and the complainant, the petitioner had already filed a matrimonial case for divorce bearing Matrimonial Suit (Divorce) No. 75 of 2023 in the Court of Principal Judge, Family Court, Ghatshila (Jharkhand) for grant of decree of divorce and it is only after notices were issued in the matrimonial case that the present case came to be filed on behalf of the complainant. He further submitted that as a matter of fact, it is the complainant, who is not interested in staying in a joint family and therefore has left the matrimonial household on her own sweet will.

5. The application has been opposed by the



learned APP for the State as also the learned counsel for the complainant.

6. At this stage, the petitioner is ready to pay Rs.3,000/- (Rupees Three Thousand) per month to opposite party no.2 in the second 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.

7. Considering the above facts and circumstances, let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Bikramganj at Rohtas in connection with Complaint Case No. 221 of 2023, 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 with subject to the further condition that the petitioner shall cooperate in the investigation/trial. If the opposite party 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, the opposite party no.2 would be at liberty to file cancellation of bail.

(Soni Shrivastava, J)

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