

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.90 of 2024

Arising Out of PS. Case No.-353 Year-2022 Thana- NADI P.S. District- Patna

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Somesh Ranjan Son Of Dr. Jai Bahadur Singh Resident Of Village- House
No. 162, Road No. 4, Rajput Nagar, Near Paswan Chowk, Ps- Sadar, Hajipur,
Distt- Vaishali

... .. Petitioner/S

Versus

1. The State Of Bihar Bihar
2. Archi Kumari Daughter Of Shri Amar Singh Resident Of Village- Kali Sthan
Sammaspur, Ps- Nadi, Distt- Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kumar Prabhakar
For the Opposite Party/s : Mr. Uday Pratap Singh

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

12 09-05-2025 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State along with learned counsel appearing on
behalf of the O.P. No.2.

2. The petitioner apprehends his arrest in a case
registered for the offence punishable under Sections 341, 323,
325, 498(A), 504, 506 of the Indian Penal Code.

3. Learned counsel for the petitioners submits that
petitioner being husband has been falsely implicated in the
instant case by the informant. It is next submitted that the
relationship in between the petitioner and the O.P. No.2 has
soured to an extent where it is not possible to revive the
conjugal relationship. It is next submitted that O.P. No.2



instituted D.V. Case No.25/2023 in the Court of learned Judicial Magistrate 1st Class, Patna. It is next submitted that D.V. case was taken up on 18.10.2023 when an interim order came to be passed and the petitioner is directed to pay an amount of Rs.25,000/- per month to the O.P. No.2. It is next submitted that petitioner in compliance of the order dated 18.10.2023 is paying an amount of Rs.25,000/- per month to the O.P. No.2 and the child. It is next submitted that petitioner has also sent a notice dated 13.08.2022 to O.P. No.2 for seeking divorce.

4. The learned counsel appearing on behalf of the O.P. No.2 submits that no doubt the petitioner is paying an amount of Rs.25,000/- per month to the O.P. No.2 and the child in compliance of the interim order dated 18.10.2023 in D.V. Case No.25/2023 but then it is submitted that out of the wedlock a child is born who presently is aged about 7 years and is studying in St. Joseph Convent, Jethuli. It is next submitted that the O.P. No.2 is having problem in paying the school fee, transportation fee, cost of books, uniform, medical expenses etc. of the child in Rs. 25,000/-.

5. At this stage, learned counsel appearing on behalf of the petitioner submits that the learned D.V. Court by an interim order dated 18.10.2023 had fixed maintenance of Rs.



25,000/- taking into consideration the fact that child is staying with O.P. No.2. The learned counsel appearing on behalf of the petitioner further submits that petitioner has filed a modification application in D.V. Case No.25/2023 for getting the interim order dated 18.10.2023 modified but then fairly submits that petitioner for her daughter is willing to pay a sum of Rs.11,000/- for maintenance of the child, without prejudice to his rights to contest the modification application filed in D.V. Case No.25/2023. It is next submitted that the payment of Rs.11,000/- shall start with effect from 01.06.2025, on which the learned counsel appearing on behalf of the O.P. No.2 does not oppose the anticipatory bail application of the petitioner.

6. 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 from today, be released on anticipatory bail on furnishing bail bonds of Rs.5000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Nadi P.S. Case No.353/2022, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. However, the O.P No.2 shall be at liberty to file an



application seeking cancellation of the anticipatory bail granted to the petitioner in the event if Rs.11,000/- is not credited in her account for two consecutive months.

8. At this stage, the learned counsel appearing on behalf of the O.P. No.2 submits that he will whatsapp the bank account number of the O.P No.2 on the whats app number of the learned counsel appearing on behalf of the petitioner and the learned counsel appearing on behalf of the petitioner undertakes to communicate the same to the petitioner, so that, the monthly maintenance of Rs.11,000/- as agreed commences from 01.06.2025.

(Satyavrat Verma, J)

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