

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46074 of 2014

Arising Out of PS.Case No. -10 Year- 2012 Thana -MAHILA P.S. District- MADHUBANI

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1. Lalit Das Son of Budhan Das resident of village- Khauna, P.S.-
Basopatti, District- Madhubani

.... Petitioner/s

Versus

1. The State of Bihar
2. Amira Devi Wife of Lalit Das and Daughter of Fakir Das resident of
village- Hathapur, Parsa, Police Station- Basopatti, District- Madhubani

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Jha
For the Opposite Party/s : Mr. Md. Ataur Rahman(App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 14-07-2015 Heard learned counsel for the petitioner and

learned A.P.P. for the State.

The petitioner apprehends his arrest in a case
registered under sections 498(A) and 379 of the Indian Penal
Code.

Prosecution case in short is that the informant
was married to the petitioner about four years ago and since the
date of marriage the petitioner along with other co-accused
persons were demanding cash of Rs. 50,000/- and a milky she
buffalo and they used to torture her. It has further been stated that
during the said period she gave birth of a son on 16.05.2012 at
about 10 P.M. in the night when she was sleeping on her verandah



some are poured K. oil on her body and when she awoke she saw that there was gallon of K. Oil in the hand of her mother-in-law and match was kept by her father-in-law. Her husband along with other co-accused persons were standing there, when her father-in-law tried to lit the match she cried and fled away. Thereafter, the accused persons chased her and in the meantime the people of vicinity awoke and her life could be saved. It has further been alleged that thereafter, the accused persons ousted her from the matrimonial house after snatching her belongings and she went to her parental house and narrated all the facts to her father who came to her matrimonial house to pacify the matter but the accused persons were adamant for their demand and told that the informant will be killed if the demand is not fulfilled.

It has been submitted on behalf of the petitioner that petitioner is ready to keep his wife with all dignity but the same is not acceptable to her. It has further been submitted that the petitioner has been directed by the Family Court to pay Rs. 2000/- per month to the informant.

On behalf of the State it is submitted that the petitioner is named in the first information report.

Considering the aforesaid facts and circumstances, it is directed that the trial court shall verify whether

any said order of maintenance has been passed or not. If the same order has been passed then in such circumstances, in the vent of arrest or surrender before the court below within a period of four weeks from the date of receipt /production of a copy of this order is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of Shri Basant Kumar, J.M. Ist Class, Madhubani in Madhubani Mahila P.S. Case No. 10 of 2012, subject to the conditions as laid down under section 438(2) Cr.P.C.

(Sudhir Singh, J)

M.Rahman/-

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