

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18041 of 2015

Arising Out of PS.Case No. -42 Year- 2014 Thana -CHANDI District- BHOJPUR

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1. Jitan Sao Son of Shankar Sao resident of village- Neva, P.O. Dihari P.s
Pipra, District- Patna

.... Petitioner/s

Versus

1. The State of Bihar.
2. Sumanti Devi D/o Surendra Sao resident of Village & P.O. Bhadwar, P.s-
Chandi, District- Bhojpur.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Sinha

For the Opposite Party/s : Mr. Uday Pratap Singh(App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 22-05-2015 Heard learned counsel for the petitioner, learned
counsel for the informant (opposite party no. 2) as well as learned
Additional Public Prosecutor for the State.

Petitioner happens to be husband of the informant
and he is ready to keep the informant with him with full honour
and dignity and the petitioner had taken similar stand before the
learned Sessions Judge but learned counsel appearing for the
informant submits that informant is not ready to lead her conjugal
life with the petitioner as earlier she was subjected to cruelty and
harassment by the petitioner.

Learned counsel appearing for the informant further
submits that this Court may direct the petitioner to give

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maintenance to the informant but I am not, at all, convinced with the above stated submission because there is no provision in Section 498 A of the Indian Penal Code to give maintenance.

Considering the aforesaid facts and circumstances as well as submissions of the parties, this anticipatory bail petition is allowed and it is ordered that petitioner, in the event of his arrest/ surrender within four weeks from the date of receipt of this order to the court concerned, shall be released on bail on furnishing bail bonds of Rs 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Smt. Noor Sultana, Judicial Magistrate 1st Class, Bhojpur at Arrah in Chandi P.S. Case No. 42 of 2014 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Hemant Kumar Srivastava, J)

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