

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37551 of 2014

Arising Out of PS.Case No. -1071 Year- 2012 Thana -NALANDA COMPLAINT CASE District-
NALANDA (BIHARSHARIFF)

=====

1. Kumar Ravikant Son of Naresh Prasad, Resident of Village – Gabaspur,
Police Station- Islampur, District – Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Binni Singh Choudhary W/o Ravi Kant, Resident of Village Gawaspur,
Police Station - Islampur, District- Nalanda, D/o Binesh Prasad, Resident of
Village - Ekangarsarai, East of Dakbunglow, Police Station - Ekangarsarai,
District- Nalanda.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Satyendra Prasad Singh, Advocate.

For the Opposite Party/s : Mr. Aslam Ansari(App)

=====

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

4 11-03-2015 Heard both sides.

The petitioner apprehends his arrest in Complaint Case
No. 1071-C of 2012, arising out of Islampur P.S. Case No. 69 of
2012, registered for the offences punishable under Sections 313,
323, 341, 358 and 34 of the Indian Penal Code.

The petitioner is the husband of the complainant.
Earlier the father of the complainant filed Islampur P.S. Case No.
162 of 2011. During the pendency of the aforesaid case the
husband and wife entered into a compromise and on the basis of
such compromise the petitioner was granted bail by the learned
Sessions Judge. The petitioner took his wife to his house, but the

wife complained ill-treatment at the hands of the petitioner and other in-laws on such Islampur P.S. Case No. 69 of 2012 was registered. The police after investigation submitted final form finding the allegation false, thereafter, the husband-petitioner filed Divorce Case no. 14 of 2012 and Divorce Case No. 16 of 2012. The wife filed Maintenance Case No. 26(M) of 2012. In maintenance case the petitioner was directed to pay a sum of Rs. 4000/- per months for the maintenance of his wife.

It has been submitted that the petitioner is ready to pay the maintenance amount to his wife from the date of the order passed in maintenance case. The petitioner is a doctor. It appears that the husband and wife are not pulling the bell.

On the other hand learned counsel for the complainant submitted that the divorce case under Section 13B was filed deceitfully obtaining the signature of the complainant. The complainant is not paying any farthing as maintenance to the complainant.

Now the petitioner no.1 is ready to make payment of maintenance from the date of order passed by the Principal Judge of the family court, if the petitioner deposits the entire amount of maintenance within two weeks from the date of the order. The petitioner no. 1 Kumar Ravikant in the event of his 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 the like amount each to the satisfaction of the Learned Sub-Divisional Judicial Magistrate, Hilsa, Nalanda in connection with Complaint Case No. 1071-C of 2012, arising out of Islampur P.S. Case No. 69 of 2012, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Prabhat Kumar Jha, J.)

KKSINHA/-

U		T	
---	--	---	--