

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55196 of 2015

Arising Out of PS.Case No. -1668 Year- 2012 Thana -MUZFFARPUR COMPLAINT CASE
District- MUZAFFARPUR

=====

1. Rajesh Sahani, son of Late Bijali Sahani, resident of village- Madhopur Hazari (Sonaut), Police Station- Sahebganj, District- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar
2. Dewanti Devi wife of Rajesh Sahani, D/o Krishna Sahani, Resident of Village- Chak Deoria, P.S.- Deoria, District- Muzaffarpur.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Upendra Kumar Chaubey

For the Opposite Party/s : Mr. Gulnar Begum(App)

=====

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

2 11-12-2015 Heard learned counsel for the petitioner as well as learned Additional Public Prosecutor for the State and the learned counsel for the complainant.

Petitioner being husband of the complainant is languishing in jail custody since 21.8.2015 in a case in which cognizance has been taken for the offence punishable under section 498A of the Indian Penal Code.

The submission on behalf of the petitioner is that the complainant has already solemnized her second marriage with one Keralal Sahni, which is evident from perusal of Annexure-2 to the petition.

Learned counsel appearing for the complainant refuted the above stated submission pointing out that petitioner himself has solemnized his second marriage with another lady.

It is admitted case of the parties that the complainant has already filed maintenance case against the petitioner which is still pending against the petitioner and in the said case, the court directed the petitioner to give Rs. 5,000/- to the complainant as well as her children as maintenance but up till now petitioner has not given a single paisa to the complainant as well as her children.

Considering the aforesaid facts and circumstances and also taking note of this fact that the petitioner is in jail custody since long and the complainant has right to take steps in maintenance case for realization of dues amount, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Muzaffarpur in connection with Complaint Case No. 1668 of 2012.

(Hemant Kumar Srivastava, J)

N.K/-

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