

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39994 of 2014

Arising Out of PS.Case No. -109 Year- 2014 Thana -MUNGER COMPLAINT CASE District-
MUNGER

Jai Jai Ram Thakur, Son of Late Gulab Thakur, Original inhabitant of Village-Raghunatpur, P.O.-Ghorghat, P.S.-Bariarpur, District-Munger (Bihar) at present residing at Mohalla- Dengalpara, P.S.-Dumka District-Dumka (Jharkhand).

.... Petitioner

Versus

1. The State of Bihar
2. Meena Devi, Wife of Sri Jai Jai Ram Thakur, Resident of Village-Raghunathur, P.O.-Ghorghat, P.S.-Bariarpur, District-Munger. (Bihar)

.... Opposite Parties

Appearance :

For the Petitioner : Mr. Mithilesh Kumar, Advocate.
For the Opposite Parties : Mr. Durgesh Nandan(App)

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

5 13-05-2015 Heard both sides.

The petitioner apprehends his arrest in Complaint Case No. 109(C) of 2014, registered for the offences punishable under Section 498A and other Sections of the Indian Penal Code.

After 41 years of marriage of the complainant with the petitioner, the present case was filed under Section 498A of the Indian Penal Code.

During the pendency of the case the complainant also filed Maintenance Case and the court directed to pay a sum of Rs. 5,000/- per month for the maintenance of his wife. But, by the order of the court below payment of retiral benefit of the petitioner

was stopped, therefore, the petitioner could not pay the maintenance amount to the complainant and her daughter. The petitioner undertook to pay 1/3rd share from retiral benefit to the complainant and the same was incorporated in the order dated 20.05.2014 passed by the learned Principal Judge, Family Court, Munger.

It is submitted that now the petitioner is ready to keep his wife. The wife is also ready to live with her husband along with her daughter.

Considering the facts aforesaid, the petitioner above named, 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 Sri Sunil Kumar Singh, the learned Judicial Magistrate, 1st Class, Munger in connection with Complaint Case No. 109(C) of 2014, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Prabhat Kumar Jha, J.)

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