

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22069 of 2015

Arising Out of PS.Case No. -228 Year- 2014 Thana -PATNA COMPLAINT CASE District-
PATNA

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Sant Kumar @ Chhoteji, son of Late Kedar Singh, resident of village
Chintamanchak, P.S.- Mokama, District -Patna.

.... Petitioner/s

Versus

1. The State of Bihar.

2. Khushboo Devi, wife of Sant Kumar @ Chhoteji, resident of village
Chintamanchak, P.S. Mokama, District- Patna at present residing in C/O her
father Baban Singh, at Hatidah, P.S.-Hatidah, District-Patna.

.... Opposite Party/s

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Appearance :

For the Petitioner	:	Mr. Gouranga Chatterjee, Advocate
For the S t a t e	:	Mr. Nitya Nand Tiwary (APP)
For O.P. No.2	:	Mr. Akhileshwar Prasad Singh, Sr. Advocate Smt. Anita Kumari Singh, Advocate.

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

4 02-11-2015 Heard learned counsel for the petitioner and the
learned counsel appearing on behalf of O.P. No.2 as well as the
learned counsel appearing on behalf of the State.

By order dated 15.10.2015, the petitioner as well as
Opposite Party No.2 had been directed to be personally present
in Chambers today and in pursuance thereof, both of them are
present.

After interacting with both the parties and considering
all the facts and circumstances, it is clear that O.P. No.2 is
unwilling to stay with her husband, though he is willing to take
her to his home. Since no reconciliation is possible between the
parties, it is agreed upon that the petitioner shall pay a sum of
Rs.3,000/- (Three thousand) per month by way of sustenance to
O.P. No.2 till the interim maintenance matter is decided by the

appropriate court.

In the event of the petitioner making deposit of the first instalment of Rs.3,000/- (Three thousand) on or before 20th of November, 2015, thereafter, let the petitioner, above named, in the event of his arrest or surrender before the court below be released 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, Barh, District-Patna, in connection with Complaint Case No.228(C) of 2014, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

It is made clear that the aforementioned amount shall be deposited by the petitioner by 15th of each month thereafter and in the event of his not depositing for a period of two consecutive months, it shall be open to O.P. No.2 to take appropriate legal remedy.

If the O.P. No.2 provides her Bank account number, the petitioner shall deposit the same in the account number provided by the petitioner before the court below.

(Anjana Mishra, J)

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