

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.36251 of 2015**

Arising Out of PS.Case No. -48 Year- 2015 Thana -THARTHARI District- NALANDA  
(BIHARSHARIFF)

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Dinesh Prasad Son of Ram Baran Prasad, Rresident of village - Bhatu Bigha, P.S. Tharthari, Distt. - Nalanda

.... .... Petitioner

Versus

1. The State of Bihar  
2. Anita Devi Wife of Dinesh Prasad resident of village - Bhatu Bigha, P.S. Tharthari, Distt. - Nalanda

.... .... Opposite Parties

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**Appearance :**  
For the Petitioner : Mr. Birendra Kumar, Advocate.  
For the Opposite Parties : Mr. Hirday Pd. Singh(App)

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA**  
**ORAL ORDER**

3      07-09-2015                      Heard learned counsel for the petitioner, learned counsel for the informant as well as learned APP.

The petitioner seeks bail in a case registered for the offences punishable under Sections 494 and 498(A) of the Indian Penal Code.

The wife made allegation of demand of dowry and torture, but it is submitted that on account of some family dispute the wife of the petitioner filed this case making false and frivolous allegation. The petitioner never ill-treated his wife. The wife has already filed Maintenance Case No. 06M of 2005, in which the petitioner has been directed to pay a sum of Rs. 2500/- per month. The petitioner is paying maintenance but some error has accrued.

Learned counsel appearing on behalf of the informant submits that the petitioner did not pay the arrear of the maintenance and only Rs. 53,000/- has been paid till date.

Considering the facts aforesaid and the fact that there is a provision for realizing the arrears of maintenance and also that the petitioner is in jail since 19.06.2015, the petitioner above named 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 P.K. Shukla, the learned Judicial Magistrate, Ist Class, Camp Court, Hilsa, Nalanda in Tharthari P.S. Case No. 48 of 2015.

**(Prabhat Kumar Jha, J.)**

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