

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25554 of 2014

Arising Out of PS.Case No. -428 Year- 2012 Thana -SAHARSA COMPLAINT CASE District-
SAHARSA

- =====
1. Sitaram Mandal son of Gonar Mandal
 2. Yogendra Mandal @ Jogindar Mandal son of Gonar Mandal
 3. Radhey Mandal @ Ragho son of Gonar Mandal
 4. Pappu Kumar son of Yogendra Mandal @ Jogindar Mandal
- All R/o village- Betauna, Ward No. 13, P.S. & District- Madhepura

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Pramod Mishra

For the Opposite Party/s : Mr. Anita Kumari Singh (App)

=====

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

4 12-01-2015 Heard learned counsel for the petitioners and learned
APP for the State.

Petitioners apprehend their arrest in Complaint Case
No. 428C of 2012 in which cognizance has been taken under
Sections 323 and 498A of the Indian Penal Code.

Marriage of the complainant was solemnized with
petitioner no. 1 in the year 1999 according to Hindu customs and
rites. Both were blessed with one daughter from their wedlock.
The complainant saw that her husband had illicit relation with his
Bhabhi and when she made objection, she was assaulted and
thereafter, she has been ousted from the matrimonial house.

Submission is that the petitioner filed a case for restitution of conjugal rights which was allowed but in spite of that the complainant is not ready to live with petitioner no. 1. The complainant has filed petition under section 125 Cr.P.C. also wherein the petitioner no. 1 has been directed to pay Rs. 2,000/- per month in the account of the complainant and the petitioner is paying the amount but the complainant is not ready to live with the petitioner no. 1.

In spite of notice the complainant has not appeared before this Court and the learned APP does not oppose the prayer for bail in view of the maintenance order.

In the facts and circumstances stated above, the petitioners above named, in case of their surrender or arrest within two months from the date of receipt/production of a copy of this order, shall be released on bail on execution of bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, Saharsa in Complaint Case No. 428C of 2012, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

avin/-

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