

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32353 of 2014

Arising Out of PS.Case No. -2 Year- 2014 Thana -MAHILA THANA District- BEGUSARAI

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1. Brajesh Kumar Singh Son of Sri Bhagwan Das Resident of Village-
Berha, Police Station- Barh, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar
2. Lovely Kumari D/o Ravindra Prasad Singh

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Deepak Kumar Sinha

For the Opposite Party/s : Mr. Asha Devi (App)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA

ORAL ORDER

5 20-01-2016 Heard learned counsel for the petitioner and learned counsel
for the Opposite Party No. 2 as well as learned Additional Public
Prosecutor for the State.

The petitioner apprehends his arrest in connection with a
case registered for the offences punishable under Sections
448/323/379/498(A)/504/506/34 of the Indian Penal Code and ¾
of the Dowry Prohibition Act.

There is being made much effort of re-conciliation though it
has been submitted by the petitioner that he is willing and ready to
take back his wife and will keep her with all honour and dignity.

Narration of events by opposite party No. 2 is that she is
totally against the thought of going to live with her husband as she
feels threat to her life. At present, she is pursuing her studies so
that she can stand on her own feet.



The father of opposite party No. 2 has also come to this Court and, on his request, this Court has also heard him. He submits that the petitioner's offer to keep the opposite party No. 2 with full honour and dignity is a hollow offer because he had already re-married with another lady. He has indulged in the acts of cruelty against his daughter. He has tried to set her on fire but somehow she has escaped from the evil clutches of the petitioner and ran away from her matrimonial home with her two children. He further submits that it is not possible for his daughter to go back again with the petitioner and lead a normal married life any more.

In these circumstances, this Court has no option but to direct the petitioner to pay for the welfare and sustenance of the two minor children a sum of rupees 2,000/- to each of the children, to be deposited per month either in the bank account of the opposite party No. 2, the account number of which is to be supplied by opposite party no.2 or in the Court below on or before 15th of each month beginning from February, 2016. In case, first installment of Rs. 4,000/- is deposited towards sustenance of the two children in the Court below or in the bank account of the lady in question, by 15th of February, 2016 and if the petitioner surrenders thereafter within three weeks, he will be enlarged on bail on furnishing bail

bonds of Rs. 10,000/- (ten thousand) with two sureties of the each amount to the satisfaction of the learned Chief Judicial Magistrate, Begusarai in connection with Mahila P.S. Case No. 02/2014 subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Anjana Mishra, J)

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