

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12291 of 2015

Arising Out of PS.Case No. -46 Year- 2014 Thana -MAHILA P.S. District- BHOJPUR

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1. Jai Bahadur Singh Son of Bharat Singh Resident of Village-Jhawan,m
P.S.-Bihiya, District-Bhojpur.

.... Petitioner/s

Versus

1. The State of Bihar
2. Smt. Rani Singh Wife of Jai Bahadur Singh Resident of Village-Dewari,
P.s.-Arrah Muffasil, District-Bhojpur.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Singh
For the Opposite Party/s : Mr. Ashraf Ansari(App)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

10 11-05-2016 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the Opposite party no. 2.

The petitioner apprehends his arrest in connection with
Mahila P.S. Case No. 46 of 2014 for the offences registered
under Sections 498(A)/34 of the Indian Penal Code.

It appears that vide communication dated 15th of March,
2016, PAO (OR), the Bihar Regiment Danapur Cantt has been
directed to make payment of Rs. 6,000/- per month to the
opposite party no. 2, a copy whereof the said communication has
been forwarded to 122, TNT Battalion (TA) Bihar, calling upon
them to make payment of a sum of Rs.6,000/- to the opposite party
no. 2. However, it appears that with effect from January, 2016, the



said payment has not been made in favour of the opposite party no. 2. No further amount has been credited in her account number i.e. 2691001700067032 at Punjab National Bank after January, 2016 and as such, the opposite party may approach the PAO (OR), Bihar Regiment, Danapur Cantt informing him about the present situation as also requesting him to start the deduction from the salary of the petitioner which has been stopped since January, 2016.

In case, such application is submitted by the opposite party no. 2, the aforementioned authority may deduct the amount as fixed earlier, from the salary account of the petitioner and deposit the same in the account number of opposite party no. 2 as mentioned above.

It appears from the submission made on behalf of the petitioner that he is currently posted in non-family station at Udhampur border district where there are no family quarters. The said facility can be made to the petitioner only after his posting at a peace station and as such, the petitioner shall take appropriate steps to meet the opposite party no. 2 at a regular interval in her matrimonial home and shall cooperate with her in all possible manner so as to restore the normal family life.

However, it is made clear that if there is any violation of

the undertaking given by the petitioner before this court, it shall be open for the opposite party no. 2 to take appropriate steps in accordance with law.

In view of the above made observations and directions let 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, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of Sub Divisional Judicial Magistrate, Bhojpur, Arrah in connection with Mahila P.S. Case no. 46 of 2014, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjana Mishra, J)

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