

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30166 of 2015

Arising Out of PS.Case No. -786 Year- 2013 Thana -MUZFFARPUR COMPLAINT CASE District- MUZAFFARPUR

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Arun Kumar Singh Son of Late Lalit Narayan Singh, Resident of Heerpur Police Station - Jandaha, District - Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Sapna Kumari, W/o Arun Kr. Singh, D/o Laxman Pd. Singh, R/o Village Purushottampur, P.S. - Maniyari, District - Muzaffarpur.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok

For the Opposite Party/s : Mr. Dr.M.K.Gautam(App)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

9 24-08-2016 Heard learned counsel for the petitioner, learned counsel for the opposite party no. 2 and learned counsel appearing on behalf of the State.

The petitioner apprehends his arrest in connection with Complaint Case No. 786 of 2013 for the offences registered under Sections 498(A)/34 of the Indian Penal Code.

Today, a supplementary affidavit has been filed on behalf of the petitioner bringing on record certain medical prescriptions and invoices which show that the petitioner is, in fact, suffering from Glomus Tumor. It is further submitted by learned counsel for the petitioner that he is willing and ready to take his wife with himself but being unemployed, he is facing

severe financial stringency.

Learned counsel for the opposite party no. 2, however, submits that the opposite party no. 2 is apprehensive that if she goes back to her matrimonial home, she will be subjected to much cruelty and there is threat to her life, as she was kept threat virtually on the point of starvation.

After hearing both the parties, it appears that there are some genuine difficulties on both sides. However, the petitioner is willing to extend himself and support his wife for the time being to the extent as is permitted by his present financial condition. It is thus, submitted that he is ready to give a sum of Rs.3,000/- (three thousand) per month, which shall be deposited in the account of the opposite party no. 2. The account number will be furnished by her in the court below within a period of two weeks from today.

Considering the aforesaid facts and circumstances of the case, 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 S.D.J.M., (West) Muzaffarpur in connection with Complaint Case No. 786 of 2013, subject to the conditions as laid

down under Section 438(2) of the Code of Criminal Procedure.

However, it is made clear that the monthly payments to the opposite party no. 2 shall be made on or before the 10th of each month. In case, petitioner fails to pay the same for two consecutive months, the order passed by this court extending anticipatory bail to the petitioner shall stand withdrawn.

(Anjana Mishra, J)

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