

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40378 of 2016

Arising Out of PS.Case No. -2487 Year- 2014 Thana -COMPLAINT CASE District- ARRARIA
=====

1. Rajesh Kumar Mandal Son of Sri jageshwar Mandal, Residebnt of
Village - Milki, P.S. Kursakanta, District- Araria.

.... Petitioner/s

Versus

1. State of Bihar
2. Priti Devi D/O Brahmdeo Mandal, W/O Rajesh Kr. Mandal, Resident
of Village- Milki, P.S. Kursakanta, District- Araria.

.... Opposite Party/s
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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Sharma

For the Opposite Party/s : Mr. Sanjay Kumar Pandey
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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**
ORAL ORDER

2 21-09-2016 Heard learned counsels for the petitioner and the State.

The petitioner being husband of the complainant is languishing in custody since 29.4.2016 in a complaint case in which process has been directed to be issued after cognizance being taken under Section 498A of the Indian Penal Code.

The basic accusation is of torture.

It is submitted by the learned counsel for the petitioner that the complainant has lodged several cases. The petitioner has been granted bail by this court in Kursakanta P.S. Case No. 17 of 2016 registered under sections 498A,504 and 506 IPC and sections 3 and 4 of Dowry Prohibition Act wherein on the submission on behalf of the petitioner that the petitioner is ready

to keep the informant and her children with full dignity and honour.

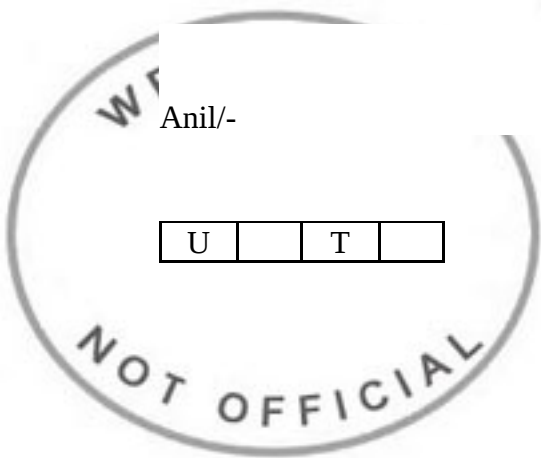
It is submitted by learned counsel for the informant that the petitioner is not making payment of maintenance amount as directed by the learned Principal Judge, Family Court, Araria in Maintenance Case No. 41 of 2015 whereby the petitioner has been directed to make payment of rupees two thousand per month from October, 2015. Learned counsel for the petitioner submits that the petitioner undertakes to deposit 50% of the maintenance amount at the time of furnishing bail bonds and rest 50% within a period of four months though statement to that effect has not been made in the petition.

Considering the present stand of the petitioner, let the above named petitioner be released on provisional bail for four months on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Araria in connection with Complaint Case No. 2487C of 2014.

The provisional bail will be confirmed by the learned court below on deposit of the entire maintenance amount as directed by the learned court below.

The deposit of the aforesaid amount will be subject to any order being passed by the concerned Family Court

modifying the order of maintenance.



(Dinesh Kumar Singh, J)