

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30544 of 2017

Arising Out of PS.Case No. -2032 Year- 2013 Thana -GAYA COMPLAINT CASE District- GAYA
=====

1. Pintu Kumar Das @ Pintu Das Son of Dudh Nath @ Dudh Nath Ravidas,
resident of Village- Arki, P.S. Mohanpur, District- Gaya.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Soni Devi D/o Sarju Das, wife of Pintu Kumar Das @ Pintu Das, resident
of Village- Mahmadpur, P.S.- Atari, District- Gaya.

.... Opposite Party/s
=====

Appearance :

For the Petitioner/s : Mr. Nand Kishore Prasad Sinha

For the Opposite Party/s : Mr. Sri Tarkeshwar Nath Thakur
=====

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 16-10-2017 Heard learned counsel for the petitioner, learned
counsel for the complainant and learned APP for the State.

Petitioner is languishing in judicial custody since
13.05.2017 in connection with Complaint Case No. 2032 of 2013,
Tr. No. 1637 of 2017 for offences punishable under Sections 498-
A of the Indian Penal Code.

The complaint case filed by the complainant is that she
was married to the petitioner in the year 2013 and was tortured for
non-fulfillment of demand of dowry and ultimately, she was
turned out of the matrimonial house. It is further alleged that the
petitioner had illicit relationship with his *Bhabhi*. On earlier
occasion provisional bail was granted to the petitioner and the



matter was referred to the Patna High Court Mediation and Reconciliation Center for settlement of dispute. A report of the Mediator has been received on 13.09.2017 stating therein that the dispute could not be resolved and thus, the mediation failed.

It has been submitted by the learned counsel for the petitioner that he is ready to keep his wife with full dignity and honour but she does not want to stay with him.

However, learned counsel appearing on behalf of the complainant submits that the petitioner has solemnized a second marriage and she is not ready to stay with the petitioner.

Considering the facts and circumstances and the materials on record, both the petitioner and the complainant will appear before the learned court below on 31st of October, 2017 and the petitioner will give a monthly maintenance of Rs. 2,000/- for complainant and her child who has been born out of their wedlock.

The provisional bail granted to the petitioner would be confirmed by the court of learned Sub-divisional Judicial Magistrate Gaya on satisfaction of payment of monthly maintenance of Rs. 2000/- for October, 2017 and will take a undertaking by the petitioner on affidavit to deposit maintenance of Rs. 2000/- per month, thereafter. If it is brought to the notice of



learned court below that the petitioner has defaulted in payment of monthly maintenance of two consecutive months the bail granted to the petitioner will be liable to be cancelled.

(Nilu Agrawal, J)

sushma/-

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

