

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18967 of 2017

Arising Out of PS.Case No. -114 Year- 2014 Thana -MAHILA PS District- DARBHANGA

1. Kumar Abhisekh, Son of Jitendra Chaudhary, resident of Mohallah-Renu Cottage, P.S.- Laheriasarai, District- Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Iqbal Asif Niazi

For the Opposite Party/s : Mr. Sri Brajendra Nath Pandey

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR

JHA

ORAL ORDER

2 11-07-2017

Heard both sides.

The petitioner apprehends his arrest in Darbhanga Mahila P.S. Case No. 114/2014, registered for the offences punishable under Sections 341, 323, 506, 498A and 34 of the Indian Penal Code.

The informant alleged that she was married to the petitioner in the year 2002, but after marriage her husband, mother-in-law and father-in-law began to demand Rs. 10 lacs and she was subjected to all sorts of torture.

Learned counsel for the petitioner submits that the petitioner filed Matrimonial Case No. 68 of 2011 for dissolution of marriage and the suit was decreed *ex parte*. The informant earlier filed Laheriasarai P.S. Case No. 203/2012 under Section 498A, 307 and other Sections of the Indian Penal Code against the petitioner and others, in which the petitioner had already been granted



anticipatory bail. Thereafter, the informant filed miscellaneous case no. 03/2012 for setting aside *ex parte* decree and the same was allowed and the *ex parte* judgment was set aside. Thereafter the informant was granted *ad interim* maintenance of Rs. 5,000/- per month vide order dated 19.10.2016, but the informant again filed this petition making same and similar allegation.

Considering the facts aforesaid and the fact that in the year 2012 the informant lodged a case under Section 498A and 307 of the Indian Penal Code against the petitioner, the petitioner had earlier filed divorce suit in the year 2011 and the same is pending, again the informant filed this case, although the informant is getting *ad interim* maintenance of Rs. 5,000/-, 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, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Sub Divisional Judicial Magistrate, Sadar, Darbhanga, in connection with Darbhanga Mahila P.S. Case No. 114/2014, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Prabhat Kumar Jha, J.)

Rakhi

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

