

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5743 of 2017

Arising Out of PS.Case No. -16 Year- 2016 Thana -MAHILA P.S. District- SHEOHAR

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Ravi Shankar Prasad Gupta @ Ravi Shankar Kumar, Son of Virendra Prasad Gupta, resident of Ward No. 13, P.S.-Sheohar, District-Sheohar.

.... Petitioner

Versus

1. The State of Bihar
 2. Manika Devi, Wife of Ravi Shankar Prasad Gupta, Presently resident With Her Father Bechu Prasad Gupta of Ramnagar Bhutha, P.S.-Harinagar, District-Sunsari, Nepal
- Opposite Parties

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Appearance :

For the Petitioner	: Mr. Ashhar Mustafa, Advocate
For the informant	: Mr. Md.Anisur Rahman, Advocate
For the State	: Mr.Yogendra Kr. Singh (APP)

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CORAM: HONOURABLE MR. JUSTICE SAMARENDRA PRATAP SINGH
ORAL ORDER

4 06-07-2017 Petitioner, who happens to be the husband of the informant, apprehends his arrest in a case under section 498A and other allied sections of the IPC.

Learned counsel for the petitioner denies the allegation and submits that the girl had inclination to marry someone else but she was somehow married to him. The petitioner has filed informatory petition on 9.4.2016 and 16.4.2016 including the undertaking dated 2.7.2016 by the girl as Annexure 3. He further submits that on the date of alleged assault as mentioned in the FIR, the petitioner was appearing for the SSC examination and as such he could not have indulged in that occurrence.



Counsel for the informant opposes the prayer for bail and submits that the petitioner and his father assaulted her and even drove her out of the house.

In that view of the matter, in the event of arrest/surrender, let the petitioner as mentioned above be released on bail on furnishing bail bond of Rs.5,000/- with two sureties of the like amount each to the satisfaction of the CJM, Sheohar in Sheohar Mahila Thana Police Station case no. 16 of 2016 on the condition that (a) for the time being, by this month, he would pay Rs.2200/- per month by way of interim maintenance to the opposite party no.2, which would normally be paid to her by 15th of the following month (b) there should not be two continuous default of payment of maintenance (c) the maintenance amount would be subject to any decision of the Family court in the maintenance case.

Petitioner would co-operate in the court below and in case he violates the conditions mentioned above, the informant would be free to make prayer for cancellation of bail.

(Samarendra Pratap Singh, J)

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