

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28941 of 2017

Arising Out of PS.Case No. -1834 Year- 2006 Thana -COMPLAINT CASE District- ARRARIA

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1. Md. Matin @ Matin Son of Sk. Nasim, Resident of Village- Bhansia,
P.S.- Mahalgaon, District- Araria.

.... Petitioner/s

Versus

1. The State of Bihar
2. Bibi Tara, W/o Md. Matin , D/o Md. Imamuddin , Resident of Village-
Kamat, P.S.- Jokihat, District- Araria.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Kumar

For the Opposite Party/s : Mr. Amit Kumar Rakesh

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

4 07-08-2017 Heard learned counsel for the petitioner, learned
counsel for the complainant and learned APP for the State.

Petitioner is languishing in judicial custody since
27.03.2017 in connection with Complaint Case No. 1834C/2006
for offences punishable under Section 498-A of the Indian Penal
Code.

Allegation upon the petitioner is of assault and torture
for demand of dowry and ultimately she was ousted from her
matrimonial house for which she filed a maintenance case before
the court of learned Principal Judge, Family Court, Purnia wherein
by order dated 09.07.2010 a maintenance amount of Rs. 1500/- per
month to the complainant and Rs. 500/- to her minor child was



granted.

It has been submitted by the counsel for the complainant that no such amount has been paid although seven years have gone past since the order of the learned Principal Judge, Family Court, Purnia in Maintenance Case No. 102/2007.

By order dated 10.07.2017 petitioner was directed to make payment of 50% of arrears and file affidavit within two weeks, but neither 50% of arrears has been paid nor affidavit has been filed.

It has been submitted by the learned counsel for the petitioner that he is in custody, hence, was not able to arrange the money for payment of 50% of arrears as directed by this Court.

Under such circumstances, let petitioner, above named, be enlarged on provisional bail for a period of three months on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Addl. Chief Judicial Magistrate-II, Araria in connection with Complaint Case No.1834-C/2006 and the petitioner will appear before the learned court below on 07.11.2017 in the aforesaid case and his bail bond will be confirmed only on payment of 50% of arrears and the learned court below will fix a time for payment of remaining 50% arrear and month to month maintenance amount as



fixed by the learned court below as per its satisfaction.

Application is, accordingly, disposed of.

(Nilu Agrawal, J)

Rajesh/-

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