

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 55447 of 2017

Arising Out of PS. Case No.-1973 Year-2014 Thana- Complaint case District- Banka

Birju Rammani @ Birju Rawani @ Birju Ramani, Son of Umesh Rawani,
resident of Village- Manikpur, P.S.- Jasidih, District- Deoghar (Jharkhand).

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Geeta Devi W/o Birju Ramani resident of Village- Manikpur, P.S.- Jasidih,
District- Deoghar, At present D/o Lakhani Ramani, resident of Village- Het
Tola Chandan, P.S.- Chandan, District- Banka.

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Dharendra Kumar
For the Opposite Party/s :	Mr. Madan Kumar
	Mr. Shailendra Kumar Singh
	Mr. Praveen Kumar Singh

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2. 17-11-2017 Heard Sri Dharendra Kumar, learned counsel for the
petitioner, Sri Madan Kumar, learned Addl. Public Prosecutor as
well as Sri Shailendra Kumar Singh, learned counsel assisted by
Sri Praveen Kumar Singh, learned counsel for
complainant/opposite party no. 2.

The petitioner, husband of complainant/opposite party
no. 2 who is in custody since 04-08-2017 in Complaint Case
No. 1973 of 2014 registered for offence under Section 498(A)
of the Indian Penal Code and Section 4 of the Dowry
Prohibition Act, 1961, has prayed for grant of bail.

At the very outset, Sri Shailendra Kumar Singh, learned
counsel appearing on behalf of complainant/opposite party no. 2
submits that despite the fact that in a petition filed under Section



125 of the Code of Criminal Procedure, 1973, the concerned court has directed to pay maintenance to the complainant/opposite party no. 2, the petitioner is not abiding with the said order and as such, he tried to persuade the Court to direct the petitioner to start paying maintenance.

In the present petition, the petitioner has prayed for grant of bail. So far as order passed in maintenance proceeding is concerned, for that very purpose, there is already remedy available to the complainant under the Cr.P.C. Since the petitioner is in custody from 04-08-2017 in a complaint case filed for offence under Section 498(A) of the Indian Penal Code, the Court is of the opinion that petitioner may not further be detained in the custody.

Let the petitioner namely Birju Rammani @ Birju Rawani @ Birju Ramani 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 learned S.D.J.M., Banka, District – Banka in connection with Complaint Case No. 1973 of 2014.

(Rakesh Kumar, J.)

anay

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

