

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47871 of 2016

Arising Out of PS.Case No. -1640 Year- 2015 Thana -DARBHANGA COMPLAINT CASE
District- DARBHANGA

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Amar Kumar son of Rameshwar Singh, Resident of village- Madhuban,
P.S.- Baheri, District- Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Pinki Devi, daughter of Bhola Mandal, Resident of village- Bara, P.S.-
Baheri, District- Darbhanga.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar Jha

For the Opposite Party/s : Smt. Rita Verma, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA
ORAL ORDER

7 07-08-2017 Heard learned counsel for the petitioner as well as learned
Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in C.R.Case
No.1640 of 2015 registered for the offences under Sections 323, 379,
448, 498(A) of the I.P.C.

The accusation is of torturing of the complainant by her
husband and other in-laws due to non-fulfillment of the demand of
Refrigerator.L.C.D.T.V. and cash of Rs.2/- lacs and ousting her from her
matrimonial house.

Learned counsel appearing on behalf of the petitioners
submits that the petitioner is the husband of the complainant but due to



misunderstanding after birth of male issue in the month of January, 2015 she started to live in her maik and she filed the maintenance case in the month of June, 2016. The petitioner has also filed matrimonial Case No.149 of 2016 against his wife complainant O.P.No.2 which is pending in the court of Principal Judge, Family Court, Darbhanga.

Learned counsel appearing on behalf of O.P.No.2 submits that earlier the matter was referred to the Patna High Court Mediation centre, Patna to settle the dispute in between the petitioner and the opposite party no.2. But the dispute could not be settled.

Learned counsel for the petitioner submits that unless and until the order of maintenance is not passed in maintenance case filed by the O.P.No.2, the petitioner is ready to pay a sum of Rs.4000/- per month as maintenance.

Having considered the facts and circumstances of the case and submission of the submissions of the parties, let the petitioner, above named, in the event of his arrest or surrender before the court below within four weeks from today, be released on bail on furnishing bail bond of Rs.10,000/- with two sureties of the like amount each to the satisfaction of Sri Kuldeep, J.M., 1st Class, Darbhanga, in C.R. No.1640/15 subject to the conditions as laid down under Section 438(2) of Cr.P.C. with direction to the petitioner to pay Rs.4000/- per month as maintenance to the O.P.No.2 by depositing the same in S.B.A/c of



O.P.No.2. The O.P.No.2 will furnish her SB A/C number in the court below to the petitioner.

(Rajendra Kumar Mishra, J)

AnilKrSinha/-

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