

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.61076 of 2017

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1. Alok Ranjan Son of Awadhesh Singh, R/o Village- Kolhe Manjhauli,
P.S.-Mali, Distt.- Aurangabad (Bihar)

.... Petitioner/s

Versus

1. The State of Bihar
2. Ragini Devi W/o Alok Ranjan D/o Sunil Singh, R/o Village- Kolhe
Manjhauli, P.S.-Mali, Distt.- Aurangabad (Bihar) at Present-Village-
Patariya P.S.-Haidernagar, Distt.-Palamu (Jharkhand).

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar Singh

For the Opposite Party/s : Mr. Smt. Madhuri Lata

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 20-12-2017 Earlier petitioner has moved for grant of bail before

this Court in Cr. Misc. No. 39658 of 2017, vide which petitioner

was allowed privilege of provisional bail, with direction to the

court below that he shall issue notice to opposite party No.2 and

try to find out acceptable proposal of maintenance of the petitioner

to the informant and, thereafter, considering the conduct of the

petitioner, he may confirm the bail bonds of the petitioner.

Submission of learned counsel for the petitioner

that he is ready to maintain the informant/opposite party no. 2 but

there is some dispute with regard to payment of maintenance

amount as the informant is demanding Rs. 15,000 per month as

maintenance, whereas, the petitioner being an unemployed person

is not able to pay such a huge amount each month. It has further

been submitted that provisional bail of the petitioner was not



confirmed by the court below on the ground that petitioner is unable to maintain opposite party no. 2/informant.

Considering the facts and circumstances of the case, this modification is not maintainable rather petitioner should surrender before the concerned court below and make the above submissions and the court below after calling upon both the parties shall try to mediate between them and shall fix certain amount as maintenance to be paid by the petitioner to opposite party no. 2/informant, as an interim measure as it has been submitted that a maintenance case has already been filed before the Family Court, Palamu, Daltenganj and the court below after being satisfied with the approach of the petitioner, shall consider the prayer of the petitioner and shall release him on bail, which will be subject to the condition that he shall pay the interim amount as fixed by the court below, till any order regarding payment of maintenance is being passed by the Family Court.

It is further made clear that petitioner has to cooperate in maintenance case filed by opposite party no. 2/informant, failing which, his bail bonds shall be liable to be cancelled.

(Vinod Kumar Sinha, J)

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