

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57441 of 2018

Arising Out of PS.Case No. -71 Year- 2017 Thana -MAHILA P.S. District- BHOJPUR

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Buland @ Sahjad @ Sahjat, S/o Md. Habibula @ Md. Habeeullah, R/o Vill.- Nawanagar, P.S.- Sikandarpur, District- Baliya (U.P.), At present, residence of Samsanghat Naharpur, P.S.- Manesar, District- Gudgaon (Haryana).

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravindra Kumar, Advocate

For the Opposite Party/s : Smt Pushpa Sinha, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2/ 09-10-2018

Heard learned counsel for the petitioner and learned

APP for the State.

Petitioner seeks bail in **Bhojpur Mahila P.S. Case No.71 of 2017** instituted for the offence under Section(s) 323, 379, 452, 498-A, 494, 504/34 Indian Penal Code.

It is alleged that this petitioner performed marriage with the informant about 22 years back. She has five children from the wedlock. The petitioner started ignoring the informant after getting involved with another lady, namely, Shairun Nisha. Finally, she was ousted from the matrimonial house and forced to stay in her maternal home with the children. Petitioner is not giving any money to the informant or her children and spending



all the money on another lady. He is in custody since 19.04.2018.

From the impugned order, it appears that informant has five children. Marriage has taken place about 22 years ago and petitioner is not taking care of his wife and children.

In view of such, petitioner is directed to file an Affidavit in the Court below that he will make payment of rupees five thousand per month as maintenance to the informant and his children till final order is passed by the Principal Judge, Family Court, with regard to grant of maintenance and in that event, the petitioner will be released on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the **Sub-Divisional Judicial Magistrate, Bhojpur**, in connection with **Bhojpur Mahila P.S. Case No.71 of 2017**, subject to the condition that both the bailors shall be close relative of the petitioner.

The petitioner will make payment of rupees five thousand per month from the date of passing of the order till final order is passed by the Principal Judge, Family Court, with regard to grant of maintenance by 15th of every month by crediting the amount directly in account of informant. The informant will furnish the account number in the Court below, which will be informed to petitioner. In the event, petitioner refuses to make



payment every month, as ordered above, the informant will be at liberty to file petition for cancellation of bail bond of petitioner in the Court below itself. The Court below will pass appropriate order on such petition on same day in accordance with law.

(Sanjay Priya, J)

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