

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.71687 of 2018

Arising Out of PS. Case No.-2902 Year-2009 Thana- SARAN COMPLAINT CASE District-
Saran

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Suresh Bhagat Son of Late Birendra Bhagat @ Harendra Bhagat, resident of
Village- Pir Maker, Shitla Mai Tola, P.S.- Maker, District- Saran at Chapra.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Poonam Devi, W/o Suresh Bhagat, resident of Village- Pir Maker, Shitla Mai
Tola, P.S.- Maker, District- Saran at present D/o Ram Chandar Bhagat,
Behind Post Office, P.S. Sonapur, District- Saran.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhay Kumar Singh

For the Opposite Party/s : Mr. Sri Shyam Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 12-12-2018 Heard the parties.

The petitioner seeks regular bail in connection with
Complaint case No.2902 of 2009 Tr. No.923 of 2018 registered
for offences punishable under Sections 498A, 323 of the Indian
Penal Code.

Allegation against the petitioner is of cruelty to his wife
and further allegation is that he is not paying maintenance
amount.

Submission of the learned counsel for the petitioner is
that the petitioner was directed to Rs.1,000/- per month to his
wife vide order dated 8.9.2011 and since then he is paying the
amount and now he has come to know that she has married at



some other places as such a modification application has been filed and notice was issued to the O.P.no.2 also and he is in custody in connection with this case for more than three months.

Heard learned A.P.P. also, who has opposed the prayer for bail stating that the maintenance amount was Rs.2,500/- and he is not paying the same.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned ACJM XII Saran at Chapra in connection with Complaint Case No.2902 of 2009, Tr. No.923 of 2018 with condition to co-operate in the Maintenance Case filed by the O.P.No.2

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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