

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3879 of 2019

Arising Out of PS. Case No.-472 Year-2018 Thana- FATUA District- Patna

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Mohan Kumar, son of Late Yadunandan Singh, Resident of Village Nisibuchak, PS Fatuha, District Patna

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Satya Ranjan Sinha

For the Opposite Party/s : Mr.Rajendra Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 22-04-2019 Petitioner seeks bail in anticipation of his arrest in connection with Fatuha P.S. Case No. 472 of 2018, registered for the offences punishable under Sections 341, 323, 325, 379 and 498A of the Indian Penal Code.

It appears that the matter was sent to the Mediation Centre vide order dated 28.1.2019. However, the report of Mediation Centre discloses that in spite of best and sincere efforts the dispute between the parties could not be resolved.

Submission of learned counsel for the petitioner is that due to differences between the parties the mediation failed and opposite party No.2 has also filed a maintenance case before the Family Court, Nalanda at Biharsharif in which the petitioner has already appeared and he got job on compassionate ground and her mother is living with him. Further submission is that he is ready to pay Rs.3000/- per month to opposite party No.2 till any interim or



final order is passed in the maintenance case.

Heard learned APP and learned counsel for opposite party No.2, who has opposed the prayer for anticipatory bail on the ground that the petitioner is a Government servant and he is getting Rs.18,000/- salary per month.

Having heard both sides and in the facts and circumstances, this application is disposed of with a direction to the petitioner to surrender within a period of six weeks and on surrender he shall be released on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate-V, Patnacity, Patna, in connection with Fatuha P.S.Case No. 472 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and further condition that one of the bailors of the petitioner shall be a local person having sufficient immovable properties within the jurisdiction of the court concerned and further condition is that the petitioner has to pay a sum of Rs.4000/- per month to opposite party No.2 till any interim order or final order is passed in the maintenance case.

(Vinod Kumar Sinha, J)

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