

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3716 of 2019

Arising Out of PS. Case No.-1559 Year-2017 Thana- KATIHAR COMPLAINT CASE
District- Katihar

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Md. Salik Sarifuddin Resident of Village- Tisliya, P.S.- Abadpur, District-
Katihar.

... .. Petitioner/s

Versus

1. The State of Bihar and anr Bihar
2. Roshida Khatoon Salik, D/o Tupa @ Md. Takaru Resident of Village-
Laguya Satwa, P.S.- Abadpur, District- Katihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Md. Musowir
For the Opposite Party/s : Mr.Ganesh Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

5 20-06-2019 Heard the parties.

This application is for grant of regular bail in
connection with C.A. Case No.1559 of 2017for the offences
under Sections 498(A)/323 of the Indian Penal Code.

Allegation against the petitioner is of assaulting the
informant for demand of Rs.03 lac and ousted her from the
house.

Submission of the learned counsel for the
petitioner is that he has already filed a Matrimonial case for
restitution of the conjugal right and that is still pending and he is
still ready to keep her .

On the other hand learned counsel for the O.P.no.2
has appeared and submitted that as he has married with another
lady as such it is not possible for O.P.no.2 to reside with the



petitioner . From perusal of the record, it appears that the matter was also referred to the Mediation and Re-conciliation Centre but the report of the Mediation at flag 'A' shows that in spite of their best efforts the dispute could not be settled during the process of the meditation.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, this application is disposed of with direction to the petitioner to surrender by 3.7.2019 before the learned court below and on surrender the provisional bail granted to the petitioner, vide order dated 25.1.2019 shall be confirmed with condition that he will pay Rs.3,000/- (three thousand) per month to the O.P.no.2 for a period of one year. It is expected that during that period the O.P.no.2 will approach the Family Court for maintenance and the petitioner shall co-operate in the disposal of the same and abide by the order passed by the learned Family Court either interim or final.

With the above direction, this application is disposed of.

(Vinod Kumar Sinha, J)

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