

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5089 of 2019

Arising Out of PS. Case No.-1309 Year-2017 Thana- PATNA COMPLAINT CASE District-
Patna

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Ravibhushan Kumar, son of Krishna Prasad Thakur, R/O Nawada Sripur Tola,
P.S.- Pakri Dayal, Dist.- Motihari At Present- records Shikh Regiment
Constable No.- 4487077/H, Patehgadh, P.S. Patehgadh, UP

... .. Petitioner

Versus

1. The State Of Bihar
2. Smt. Rinki Kumari W/O- Ravibhushan Kumar D/O- Kedar Prasad Singh,
Ahimanchhapra, A/p M.E.S Pawan House Danapur T-1/2 Aaise Plot, P.s.-
Danapur, District- Patna.

... .. Opposite Parties

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Appearance :

For the Petitioner/s : Mr.Ghanshyam Tiwary
For the Opposite Party/s : Mr.Shailendra Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 29-04-2019 Petitioner seeks bail in anticipation of his arrest in

connection with Complaint Case No. 1309C of 2017, in which

cognizance has been taken under Section 498A of the Indian

Penal Code.

Submission of learned counsel for the petitioner is

that he is serving in the Army and Rs.22,000/- and odd has been

deducted from his salary for the maintenance to opposite party

No.2 as per direction given by the higher authorities of the

Army.

Heard learned APP and learned counsel for the

opposite party No.2, who has opposed the prayer for



anticipatory bail stating that opposite party No.2 is still ready to reside with the petitioner and petitioner has filed a divorce case and he is not appearing in reconciliation proceeding.

Having heard both sides and in the facts and circumstances, let petitioner, above named, be released on provisional 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 Additional Chief Judicial Magistrate-I, Danapur, in connection with Complaint Case No. 1309C of 2017, 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 with further condition that he has to appear before the Family Court in Maintenance Case No. 413 of 2017 on 10.6.2019 and on that day the opposite party No.2 shall also remain present in the court and learned court below will try to take attempt for reconciliation between the parties. Further condition is that the learned court below shall also verify the fact as to whether maintenance amount is being given to the opposite party No.2, as submitted by learned counsel for the petitioner and only after satisfying with the payment of amount



as maintenance and appearance of the petitioner before Family Court and also the conduct of both the parties, specially the petitioner, the court below will confirm the bail bond of the petitioner, otherwise the court below may pass any other order(s) as it may deem fit and proper.

With the above observation, this application is disposed of.

(Vinod Kumar Sinha, J)

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