

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8142 of 2019**

Arising Out of PS. Case No.-747 Year-2014 Thana- MUNGER COMPLAINT CASE
District- Munger

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BIRENDRA KUMAR @ BITTU Son of Kamaldeep Mandal Resident of
Rajguru Kushwaha Colony, P.S.- Tarapur, District Munger.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rina Kumari @ Rina Rani W/o Birendra Kumar @ Bittu, D/o Gorelal Singh
R/o Village- Purushottampur Choragaun, P.S.- Asarganj.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ram Sevak Choudhary

For the Opposite Party/s : Mr.Binod Kumar

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**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER**

3 22-04-2019 Heard the parties.

The petitioner is apprehending his arrest in connection with Complaint Case No.747C of 2014 registered for offences punishable under Sections 498A of the Indian Penal Code and Section 3/4 of the D.P. Act.

Allegation against the petitioner is of subjecting his wife of torture and cruelty with respect to demand of Rs.03 lac ad dowry.

Submission of the learned counsel for the petitioner is that as a matter of fact due to bad behaviour of O.P.No.2 he has already filed a case for judicial separation before the learned Family Court and he has also drawn my attention towards



Annexure-2 and submitted that it is difficult for the petitioner to live with her.

Heard learned A.P.P. and the learned counsel for the O.P.no.2. They have opposed the prayer for bail on the ground that not only she was ousted from the house but she is not being paid maintenance amount in spite of order of the learned Family Court dated 4.10.2018. .

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner surrender before the learned court below within a period of six weeks from the date of order and if he is ready to pay monthly maintenance amount, he will be released on provisional 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 SDJM, Munger in connection with Complaint Case No.747C/2018 subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure Code with further condition that he will pay lumpsum of Rs.15,000/- (Fifteen Thousand) by a bank draft in favour of the O.P.no.2 and he will continue to pay the monthly maintenance amount in the first week of each month and if he fails to pay the maintenance amount for three consecutive months, the O.P.no.2 shall be at



liberty to move for cancellation of his bail bond.

With the aforesaid observation, this application is
disposed of.

(Vinod Kumar Sinha, J)

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