

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10782 of 2019

Arising Out of PS. Case No.-159 Year-2018 Thana- SATHI District- West Champaran

Atikur Rahman, Son of Md. Iftekhar, Resident of Village - Daniyal Parsauna
Parsauna, P.S.- Sathi, District - West Champaran

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey

For the Opposite Party/s : Mr.Binod Kumar

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 17-07-2019 This is an application for grant of anticipatory bail in connection with Sathi P.S. Case No. 159 of 2018, disclosing offences under Sections 341, 323, 307, 379, 494, 498A, 504, 506, 34 of IPC.

Prosecution story as per the written report made by the informant, who happens to be the wife of the petitioner that his daughter's marriage was solemnized with the petitioner and after some time, he started demanding Rs.5,00,000/-, due to non-fulfillment of said demand, she was subjected to various type of cruelty and she was also tried to kill by hanging. It is also the case of the informant that after snatching her Stridhan, she was ousted from the house.

Submission of learned counsel for the petitioner is that he is still ready to keep her with full dignity and care.



Considering the same, the matter was referred to the Patna High Court Mediation and Reconciliation Center, vide order dated 26.04.2019, but the mediation failed as the daughter of informant has not come on date fixed and she is ready for one time settlement, but her demand is very exorbitant and he is ready to pay maintenance, if she desires. At present he is working as a labourer.

Learned counsel for the opposite party no.2 has also appeared and opposed the prayer for anticipatory bail on the ground that she was subjected various type of cruelty and due to that she is not ready to reside with the petitioner and petitioner is working in Arab country and having income of Rs.60,000/- per month. It is also submitted that she has already filed a Maintenance Case No.221 of 2018 before the Principal Judge, Family Court, West Champaran but the petitioner has not appeared in that case. Further submission is that petitioner has solemnized the second marriage with another lady.

In such view of the matter, let the petitioner, above named, surrender before the learned court below on 29.07.2019 and on surrender, he will be released on bail to the satisfaction of the learned court below on condition that he has to appear in the above maintenance case and further till any interim or final



order is passed in that maintenance case, he will pay Rs.3000/-
per month to the daughter of the informant for her maintenance.

With the aforesaid observations, this application is
disposed of.

(Vinod Kumar Sinha, J)

Sunil Shukla/-

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