

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14779 of 2019**

Arising Out of PS. Case No.-673 Year-2018 Thana- COMPLAINT CASE District- Araria

BALRAM DAS S/o Late Narayan Chandra Das R/o Village- Goodmilky,
P.S.- K. Hat, District- Purnea.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Purnima Das W/o Balram Das, D/o Subodh Kumar Das Presently R/o Palasi,
P.S.- Narpatganj, District- Araria.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kundan Kumar Singh
For the Opposite Party/s : Mr.Anita Kumari Singh

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

5 18-06-2019 Heard learned counsel for the parties.

The petitioner is apprehending his arrest in connection with Complaint Case No.673(C) of 2018 dated 6.4.2018 , registered for offences punishable under Sections 323, 498A, 379, 504, 506 of the Indian Penal Code.

Allegation against the petitioner is of subjecting his wife -O.P.No.2 of cruelty and harassment as well as ousting her for demand of motorcycle and cash of Rs.05 lac.

Submission of the learned counsel for the petitioner is that earlier the complainant had filed a petition for restitution of the conjugal right but the same was dismissed by the learned



Family Court and the petitioner has filed a divorce petition before the Family Court, Purnea and also made allegation against the O.P.no.2 that she has illicit relationship with another person.

Heard learned A.P.P. as well as the learned counsel for the O.P.no.2 that they have opposed the prayer for bail on the ground that the petitioner was subjected to cruelty and nothing has been paid to her for her maintenance up till now. .

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner, above named, surrender by 1.7.2019 before the learned court below and if the petitioner is ready to pay Rs.5,000/- (Five Thousand) per month to the O.P.no.2 till any order either interim/final is passed in the Maintenance Case, if any, filed by the O.P.no.2, he will be released on 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, Araria in connection with Complaint Case No.673(C) of 2018 subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

It is expected that the O.P.no.2 shall file a



Maintenance Case at once, which shall be decided as expeditiously as possible.

With the aforesaid direction, this application is disposed of.

(Vinod Kumar Sinha, J)

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