

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17158 of 2019**

Arising Out of PS. Case No.-857 Year-2017 Thana- MUNGER COMPLAINT CASE
District- Munger

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MRITYUNJAY KUMAR SHASHI @ MRITUNJAY KUMAR SHASHI S/o
Nawal Kishore Prasad Resident of Mohalla-Gosain Math, Near Banarsi Ghat,
P.S-Barh, District- Patna at present resident of Mohalla-Kamaruddinganj, P.S-
Biharsharif, District-Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Kumari Komal Daughter of Late Pawan Kumar Tiwari, Wife of Mrityunjay Kumar Shashi, At present resident of village-Puraniganj, near Bijali office, P.S-Kasim Bazar, District-Munger.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pramod Kumar Sinha
For the Opposite Party/s : Mr.Ashok Kumar Singh

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

4 13-05-2019 Heard learned counsel for the parties.

The petitioner is apprehending his arrest in connection with Complaint Case No.857C/2017 registered for offences punishable under Sections 323, 504 and 498(A) of the Indian Penal Code.

Allegation against the petitioner is of ousting his wife for demand and also subjecting her to cruelty.

Submission of the learned counsel for the petitioner is that as a matter of fact the O.P.no.2 has filed a divorce case against the petitioner and further submission is that in a maintenance case Rs.3,000/- was awarded as the maintenance



and he has paid maintenance amount of Rs.6,000/- on 18.4.2019, however, the learned counsel for the petitioner failed to satisfy as to when the maintenance order has been passed by the learned Family Court and it is further submitted that he has challenged the aforesaid order of the learned Family Court granting maintenance by filing revision application.

Heard learned A.P.P. and the learned counsel for the O.P.no.2. They have opposed the prayer for bail stating that the maintenance amount has not regularly been paid to her..

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of six weeks from the date of receipt of order 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 J.M. Ist Class, Munger in connection with Complaint Case No.857C/2017 subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure with further condition that he has to pay at least 50 % of the maintenance amount due with him within a period of six months from the date of order and the aforesaid amount so deposited will be subject to result of any revision application filed by the



petitioner, otherwise the O.P.no.2 is at liberty to move for
cancellation of his bail bond..

With the aforesaid direction, this application is disposed
of.

(Vinod Kumar Sinha, J)

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