

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19753 of 2019

Arising Out of PS. Case No.-736 Year-2018 Thana- RUNISAIDPUR District- Sitamarhi

Alok Kumar @ Alok Kumar Singh, Son of Jitendra Singh Resident of Village
- Belahi Nilkanth, P.S.- Runni Saidpur, District - Sitamarhi

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Chandani Kumari, Wife of Alok Kumar Singh, D/O Mahanth Jagarnath Das,
Resident of Village - Usrahiya, P.S.- Riga, District - Sitamarhi

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Birendra Kumar Singh, Advocate
For the Opposite Party/s : Mr.Shyameshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 15-07-2019 This is an application for grant of anticipatory bail in connection with Runni Saidpur P.S. Case No. 736 of 2018, disclosing offences under Sections 498A, 341, 323, 506, 34 of the Indian Penal Code and Section 3/4 of Dowry Prohibition Act.

Allegation against the petitioner is that he married with another lady and ousted the opposite party no.2 from the house and thereafter, he is not ready to reside with her. She has a daughter also.

Submission of learned counsel for the petitioner is that as a matter of fact, this case has been filed after filing of the divorce case by the petitioner, in which, the opposite party no.2 has already appeared. It has also been submitted that petitioner



is still paying some amount to her for her maintenance. The above fact has been confronted by the learned counsel for the opposite party no.2 saying that no amount has been paid to her by the petitioner. Further he admitted that he has appeared in the divorce case.

Heard learned APP as well as learned counsel for the opposite party no.2, also, they opposed the prayer for anticipatory bail.

Having heard both sides, considering the fact that divorce case is pending before the learned Family Court for reconciliation and also considering the fact that she has not been paid any maintenance for herself and for her daughter. Further the petitioner is working in reputed medical firm. As such, let the petitioner, above named, surrender before the learned court below on 24.07.2019 and on surrender, he will be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount to the satisfaction of learned C.J.M. Sitamarhi, in connection with Runni Saidpur, P.S. Case No. 736 of 2018, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure with condition that he has to pay Rs.20,000/- per month to opposite party no.2 for herself and for



her daughter for a period of one year and during that period, it is expected that opposite party no.2 will file an application for maintenance also and the petitioner shall also co-operate and he will abide by any order either interim or final passed by the learned Family Court.

With the aforesaid observations, this application is disposed of.

(Vinod Kumar Sinha, J)

Sunil Shukla/-

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