

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19516 of 2019**

Arising Out of PS. Case No.-55 Year-2018 Thana- MAHILA PS District- Darbhanga

Harish Chandra Mahto, Son of Sitaram Mahto Resident of Village- Kothiya,
P.S.- Sadar, District- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Girish Chandra Jha
For the Opposite Party/s	:	Mr.Suresh Prasad Singh
For the Informant	:	Mr. Durga Nand Jha

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

7 08-08-2019 Pursuant to the order dated 30.07.2019, Mr. Girish Chandra Jha, learned counsel for the petitioner is present along with his client and Mr. Durganand Jha, learned counsel appearing on behalf of Opposite Party No.2 is also present along with his client.

Upon query made by Court, the petitioner Harish Chandra Mahto has offered that he will pay a sum of Rs.2000/- per month in the bank account of Opposite Party No.2, namely, Samta Devi, maintained in State Bank of India bearing No.35614246564 starting from 01.09.2019 and further a sum of Rs. 1000/- shall be paid in the bank account of Opposite Party No.2 for the purpose of maintaining his old father living along with Opposite Party No.2 in the village inasmuch as the



petitioner is working in Delhi and has married with another woman from whom and out of that marriage, three children are there living along with the petitioner at Delhi. The offer made by the petitioner is acceptable to Opposite Party No.2.

In view of the aforesaid, let the petitioner make payment of a total sum of Rs.3000/- per month in the bank account of the Opposite Party No.2 starting from 1st September, 2019 and that amount must be transferred in the bank account of the petitioner latest by 12th day of every month. It has further been agreed that petitioner will take care of Opposite Party No.2 and 3 children born out of wedlock with Opposite Party No.2 and will also take steps for marriage of his daughter, namely, Bharti Kumari aged about 18 years out of wedlock of Opposite Party No.2. Petitioner will keep Opposite Party No.2 at his village have with all dignity and care and will not torture the Opposite Party No.2 in any manner. The Opposite Party No.2 has also agreed that she will take care of the petitioner as her husband and will see that the petitioner is not manhandled by anybody at her behest.

Accordingly, the provisional bail granted by order dated 01.04.2019 is confirmed and the bail bond furnished by the petitioner shall be treated to be bond pursuant to this order



subject to the condition that petitioner shall pay the above-mentioned amount of Rs.3000/- per month in the account of Opposite Party No.2 regularly, failing which the Opposite Party No.2 will file an affidavit before this Court for cancellation of bail.

It is made clear that the amount of Rs.3000/- paid by the petitioner shall be subject to the final outcome of a case, if any, filed by Opposite party No.2 for maintenance or any other proceeding instituted by the parties in accordance with law.

(Anil Kumar Sinha, J)

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