

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80403 of 2018

Arising Out of PS. Case No.-26 Year-2018 Thana- MAHILA P.S. District- Sheohar

Md. Sarfraj Son of Md. Izhar Alam, Resident of village-Mesaurha, P.S.-
Piprahi, District-Sheohar

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Prasoon Sinha, Advocate. Mr. Prabhat Kumar, Advocate
For the Opposite Party/s	:	Mr. Pramod Kumar Pandey Mr. Md. Anisur Rahman, Advocate.

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 15-04-2019 The petitioner apprehends his arrest in connection with Sheohar Mahila P.S. Case No. 26 of 2018 registered under Sections 323, 341, 498A, 504 and 506 of the Indian penal Code.

Allegation against the petitioner is of subjecting his wife to cruelty and ousted her. It is further alleged that he performed second marriage with another lady.

Submission of learned counsel for the petitioner is that marriage was solemnised 13 years ago and false and concocted allegation has been alleged. Petitioner is residing at Mumbai and whatever allegation has been levelled that is against other relatives of the petitioner.

Heard learned APP and learned counsel appearing on



behalf of the O.P.No. 2. They have opposed the prayer for anticipatory bail that petitioner has ousted her along with three sons and not a single penny has been given to them and petitioner is earning a lot by running a factory at Mumbai.

Having heard both sides and in view of the facts and circumstances, this application is disposed of with a direction to the petitioner to surrender within a period of six weeks from the date of receipt of a copy of this order and on surrender, provisional bail granted to him vide order dated 17.01.2019 shall be confirmed by the court below on condition that he will pay Rs 5000/- per month to the O.P.No. 2 for a period of one year, within which period, it is expected that O.P.No. 2 shall file a maintenance case before the Family Court and this order will be governed by the order of the Family Court whether interim or final.

(Vinod Kumar Sinha, J)

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