

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22508 of 2019

Arising Out of PS. Case No.-45 Year-2018 Thana- MAHILA P.S. District- Sitamarhi

GOVIND LAL KARN @ GOVIND KUMAR LAL KARN Son of Late Harishchand Lal, Resident of Village-Majhaura, P.S-Sursand, District-Sitamarhi.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Tanuja Kumari Wife of Govind Lal Karn @ Govind Kumar Lal Karn, Resident of Village-Majhaura, P.S-Sursand, District-Sitamarhi.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Devendra Kumar
For the Opposite Party/s : Mr.Shaheen Begum

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

5 20-11-2019 This application, for grant of anticipatory bail, arises out of Sitamarhi Mahila P.S. Case No. 45 of 2018, disclosing offences under Sections 498A, 506/34 of the Indian Penal Code and Section 3 /4 of the Dowry Prohibition Act.

Petitioner happens to be husband of the informant and allegation against the petitioner is of subjecting the informant to cruelty and torture with respect to non fulfilment of demand of dowry and also ousted her from the house.

It appears that on appearance of opposite party no. 2, the matter was referred to Patna High Court Mediation and Conciliation Center, Patna and the report of learned Mediator is available on record, from which, it appears that the Mediation



between the parties failed.

Submission of learned counsel for the petitioner is that as the informant has deserted him, he has solemnized second marriage with the another lady, it is not possible for him to keep the informant with himself, however, he is ready to pay the maintenance.

On the other hand, learned counsel for the informant has also submitted that since the petitioner has remarried with another lady, she is not ready to live with the petitioner. It has also been submitted that petitioner is a block teacher but he is not paying even a single penny towards her maintenance.

Heard learned A.P.P. also.

Having heard both sides, in view of the above facts, this application is disposed of with direction to the petitioner to surrender before the court below within a period of six weeks from the date of receipt of a copy of this order and on condition that he is ready to pay Rs. 5,000/- per month to informant towards her maintenance for a period of one year and in that period, the informant, if so desire may move the concerned family court for grant of maintenance from the petitioner and if any order either interim or final passed by the learned Family Court, if the petitioner undertakes that he will abide by the



same, the court below shall release him on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty five Thousand) each with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Sadar, Sitamarhi, in connection with Sitamarhi Mahila P.S. Case No. 45 of 2018, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

It is made clear that if the petitioner fails to pay the aforesaid amount of Rs. 5,000/- to the informant consecutively for three months, the informant will be at liberty to move the court below for cancellation of bail bonds of the petitioner.

(Vinod Kumar Sinha, J)

sunilkumar/-

U		T	
---	--	---	--

