

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31420 of 2019

Arising Out of PS. Case No.-91 Year-2017 Thana- MAHILA P.S. District- Patna

MANOJ KUMAR, Son of Sri Chidanand Sharma, Office Address MNK Re Ltd 3, Llyd's Avenue London Post Code EC 3N 3DS United Kingdom Address of Registered Office MNK Re Ltd Lynword House 373-375 Station Road Harrow, Middlesex, Post Code HAI 2AW United Kindom C/o Sri Chida Nand Sharma Resident of Maharani Hata, Bishop House Road, W.W. 0036, P.S.-K. Hat, District-Purnea.

... .. Petitioner

Versus

1. The State of Bihar
2. Seema Kumar, Wife of Manoj Kumar, D/O Late K.K. Prasad Sinha, Resident of Rekha Bhawan, Khaitan Lane, Boring Canal Road, P.S.- Sri Krishnapuri, District- Patna.

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Mr. P.K. Shahi, Sr. Advocate Mr. Pranav Kumar Jha, Advocate Mr. Subodh Kumar Jha, Advocate
For the Informant	:	Mr. Ajit Kumar, Advocate
For the Opposite Party/s	:	Ms. Rina Sinha, APP

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

7 29-08-2019 Heard learned counsel appearing on behalf of petitioner, learned counsel appearing on behalf of informant and the learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Mahila (Patna) P.S. Case no. 91 of 2017, registered under Sections 498(A), 506, 307 and 379/34 of the Indian Penal Code.

The accusation is that Manoj Kumar, husband of the informant, and her son aged about 25 years use to reside at London since 2016. The informant and her husband Manoj



Kumar used to run Insurance Company. Her husband Manoj Kumar (Petitioner) developed physical relation to the employee of the insurance company. When she started to make protest then she was abused and tortured physically and mentally and petitioner also tried to develop unnatural relation with her. She gave application in the year 2014 in that regard before Mahila Ayog and she left London and came Patna at the house of her relation. She made attempt to reside at Purnia in her matrimonial house, but her father-in-law Chidanand Sharma, mother-in-law Tara Sharma, brother-in-law Dr. Sanjay Sharma and Neeraj Sharma also tortured her and removed her from Purnia snatching her personal belongings. Thereafter, she used to reside at Patna, while her husband used to visit Purnia and Bhagalpur from London.

Learned counsel for the petitioner submits that admittedly the marriage of petitioner was performed with the informant/O.P. No.2, but due to misunderstanding, informant/O.P. No.2 filed Divorce Case in London and thereafter, order of interim maintenance of Rs. 2200 Ponds per month was passed and later on, the said order was modified by the Court of London with direction for payment of Rs. 1600 Ponds per month, which is being paid by the petitioner to



informant -O.P. No.2. Divorce case filed by the informant -O.P. No.2 also decreed.

Learned counsel appearing on behalf of informant/O.P. No.2 submits that while she had filed Divorce case at Landon, but due to cruel behaviour and harassment at the hand of petitioner, she left London and she has no knowledge about the order of payment of Rs. 1600 ponds per month modifying the earlier order of payment of Rs. 2200 Ponds and at present she is receiving Rs. 1600 ponds per month as maintenance.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of ten weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the Judicial Magistrate, 1st Class, Patna in connection with Mahila (Patna) P.S. Case No. 91 of 2017, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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