

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 29417 of 2019**

Arising Out of P.S. Case No.-95 Year-2018 Thana- SUIYA District- Banka

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DASRATH YADAV Son of Keval Yadav, Resident of Village - Barakola, P.S.-
Suiya, Distt.- Banka.

... .. Petitioner

Versus

1. THE STATE OF BIHAR
2. Urmila Devi, Wife of Dasrath Yadav, Resident of Village - Barakola, P.S.-
Suiya, Distt.- Banka.

... .. Opposite Parties

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Appearance :

For the Petitioner	:	Mr. Ajay Mukherjee, Advocate
For the State	:	Mr. Pranav Kumar, APP
For the Opposite Party No.2	:	Mr. Pankaj Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

6 11-09-2019 Heard learned counsel for the petitioner, learned
counsel for the Opposite Party No.2 as well as learned
Additional Public Prosecutor for the State.

Petitioner, who happens to be the husband of the
Opposite Party No.2, apprehends his arrest in a case registered
for the offence punishable under Sections 498A, 323, 504, 506
and 494/34 of the Indian Penal Code on the allegation of
torturing, abusing and assaulting her on account of her being a
childless lady.

Learned counsel for the petitioner submits that the
allegations levelled against him is false, baseless and there is
general and omnibus in nature. He further submits that the



petitioner is ready to keep her with full dignity and care.

Learned counsel for the Opposite Party No.2 submits that the petitioner being husband of Opposite Party No.2 may be directed to pay interim maintenance of Rs.4000/- per month which is not refused by the learned counsel for the petitioner.

In view of the aforesaid submissions, let the above named petitioner be released on bail in the event of his arrest/surrender within six 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 learned ACJM-I, Banka in connection with Suiya P.S.Case No.95 of 2018 on the following conditions:-

As agreed between the parties, petitioner would pay Rs.4000/- per month to the Opposite Party No.2 as maintenance amount from October, 2019 by depositing the same in her Savings bank account by second week of every succeeding month, subject to any order passed by the court below in maintenance case in future. Opposite Party no.2 would file an affidavit in the court below within three weeks mentioning her saving bank account number for its communication to the petitioner so that he may credit the aforesaid maintenance amount as per the direction of this order.



In case of default of payment of the aforesaid maintenance amount for three consecutive months, Opposite Party No.2 will be at liberty to file application for cancellation of bail of the petitioner.

Parties would ensure their appearance in the case on each and every date fixed by the learned Family Court. The present order, in no way, will preclude the parties to resolve the issue otherwise.

(Prabhat Kumar Singh, J)

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