

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30435 of 2019

Arising Out of PS. Case No.-821 Year-2018 Thana- KATIHAR COMPLAINT CASE
District- Katihar

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RUSTAM ALI Son of Salim Shekh Resident of Village- Udaipur, P.S.-
Abadpur, District - Katihar.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Taslima Khatoon Wife of Rustam Ali D/o Taslimuddin, Resident of Village -
Udaipur, P.S.- Abadpur, District- Katihar. At present of Annatur, P.S.-
Raiganj, District - Uttar Dinajpur.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Md. Musowir
For the Opposite Party/s : Mr.Murli Dhar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

5 24-10-2019 Petitioner seeks bail in anticipation of his arrest in

connection with C.A. Case No.821 of 2018 registered for the

offences punishable under Sections 498(A), 323, 341, 379, 504,

506/34 of the Indian Penal Code.

As per complaint petition, the petitioner happens to

be the husband of the complainant and allegation is that he has

demanded her to register 01 acre of land in his name and on

non-fulfillment, threatened to oust from her matrimonial house.

On appearance of the opposite party No.2, the

matter was referred to the Patna High Court Mediation &

Reconciliation Centre and the report of the Mediator is also

available from which it appears that mediation failed.



Submission of learned counsel for the petitioner is that due to exorbitant demand of the complainant, the mediation failed and the allegation is false and concocted.

On the other hand, learned counsel for the opposite party No.2 has submitted that not a single penny has been paid to the opposite party No.2 for maintenance of herself and her children and the petitioner has already married with another lady during that period.

Having heard both sides and in view of the above facts as stated above, this application is disposed of with direction that if the petitioner is ready to pay maintenance amount of Rs.3000/- (Rupees Three Thousand) to the opposite party No.2 for a period of one year and during that period opposite party No.2 may approach the Family Court for grant of maintenance, he will be released on bail to the satisfaction of the learned court below, otherwise petitioner has to surrender and pray for regular bail.

(Vinod Kumar Sinha, J)

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