

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36310 of 2019

Arising Out of PS. Case No.-18 Year-2019 Thana- MAHILA P.S. District- Siwan

PRATUL RAI @ PRATUL KUMAR RAI Son of Manan Rai Resident of
Village and P.O. and P.S. - Bhatpar Rani, Dist.- Deoria, State- Uttar Pradesh

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shailendra Kumar Dwivedi

For the Opposite Party/s : Mr.Ashok Kumar

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 17-09-2019 Heard learned counsel for the parties.

The petitioner is apprehending his arrest in connection with Siwan (Mahila) P.S.Case No.18 of 2019 registered for offences punishable under Section 498(A) of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

Allegation against the petitioner is about demand and torture to the complainant and got her pregnancy aborted.

Submission of the learned counsel for the petitioner is that as a matter of fact a mutual petition has been filed before the learned Family Court and the matter was referred to the Mediation Centre on appearance of the O.P.no.2 but the mediation failed. So far allegation of demand and torture is concerned, the same is false and concocted.

Heard learned A.P.P. and the learned counsel for the



O.P.no.2, who has opposed the prayer for bail on the ground that signature of the complainant has been obtained on the petition for divorce on mutual consent petition by committing fraud and she was not ready for divorce. Furthermore the complainant has been subjected to cruelty and in spite of the above fact both the parties have appeared before the learned court below and denied that she agreed for divorce.

Having heard both sides and in view of the facts and circumstances, as stated above, this application is disposed of with direction to the petitioner to surrender within a period of two weeks from the date of receipt of the order and on condition that he will pay Rs.5,000/- (five thousand) per month to the O.P.no.2 in the account of the O.P.no.2, for which the O.P.no.2 shall furnish her account number before the learned court below, for a period of one year, during that period, it is expected that O.P.no.2 shall file an application for grant of maintenance before the learned Family Court and on personal service of notice to the petitioner, he will appear and co-operate in disposal of the same and will abide by any order either final or interim passed by the learned Family court unless it is set aside by any higher Court, the petitioner shall be released on bail on bail bond of Rs.25,000/- (Twenty Five Thousand) with two



sureties of the like amount in connection with Siwan Mahila
P.S.Case No.18 of 2019.

It is also made clear that failure to pay the above amount
continuously for three months, the bail bond of the petitioner
shall be cancelled.

With the aforesaid direction, this application is
disposed of.

(Vinod Kumar Sinha, J)

chn/-

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

