

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40013 of 2019

Arising Out of PS. Case No.-25 Year-2014 Thana- SIKARHATTA District- Bhojpur

DEVENDRA SINGH, Son of Kamta Singh, resident of village - Bhuiyan,
P.O. - Tejpura, P.S.- Obara, Distt - Aurangabad.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Ragni Devi, wife of Devendra Singh, D/o Nathuni Singh, resident of village - Bhuiyan, P.O.- Tejpura, P.S.- Obara, Distt - Aurangabad. At present residing at Village and P.O. - Panwari, P.S.- Sikarhatta, Distt - Bhojpur.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Kanhaiya Pandey, Advocate
For the Opposite Party/s	:	Mr. Rajendra Singh, APP
For the Informant	:	Mr. Viveka Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4/ 29-08-2019 Heard learned counsel for the petitioner and learned
APP for the State as well as counsel for the informant.

Petitioner seeks bail in **Sikarhatta P.S. Case No.25 of 2014** instituted for the offence under Section(s) 498-A, 494/34 Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

In the written report, it is alleged that petitioner committed torture with the informant and has also performed second marriage. It is further alleged that he is keeping daughter of the informant with him.

Counsel for the informant submits that petitioner is not making payment of maintenance amount at the rate of rupees five thousand as ordered by the Family Court.



Counsel for the petitioner submits that he is ready to keep the informant with him. In the event, she does not want to live with the petitioner, he is ready to pay the maintenance amount as ordered by the Court below.

Counsel for the petitioner further submits that he will comply the maintenance order passed by the Principal Judge, Family Court in Maintenance Case No.133 of 2014.

In the facts and circumstances of the case, prayer of the petitioner for grant of bail is allowed subject to condition that petitioner will make payment of entire dues amount of maintenance from the date of passing of order in Maintenance Case No.133 of 2014. The petitioner, above named, shall be released on bail on producing valid proof of payment of aforesaid amount after furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the **SDJM, Ara, Bhojpur**, in connection with **Sikarhatta P.S. Case No.25 of 2014**, subject to the condition that both the bailors shall be close relative of the petitioner. The petitioner will further file an undertaking that he will make payment of maintenance amount after his release regularly by 15th of every month.

The Informant will be at liberty to file application for



cancellation of bail bond of petitioner in the event he fails to
make payment of maintenance amount for two consecutive
months.

(Sanjay Priya, J)

J. Alam/-

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