

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75858 of 2018

Arising Out of PS. Case No.-1080 Year-2017 Thana- AURANGABAD COMPLAINT CASE
District- Aurangabad

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Amit Kumar Singh @ Raju Kumar @ Raju Son of Aditya Narayan Singh
Resident of 1569/1,Third Floor,P.S. Kotla Mubarakpur,Behind Akash
Institute,South Extension,Part-I,Edas Ganj South ,Distt.-New Delhi-110049
... .. Petitioner/s

Versus

1. State Of Bihar and Anr
2. Puja Kumari wife of Amit Kumar @ Raju Kumar,Son of Aditya Narayan
Singh Resident of South Block Colony Aurangabad, P.S. Town
Aurangabad,Distt.-Aurangabad

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjay Kumar
For the Opposite Party/s : Mr.Sri Lalan Kumar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

7 25-09-2019 Heard learned counsel for the parties.

The petitioner is apprehending his arrest in connection with Complaint Case No.1080 of 2017 registered for offences punishable under Sections 323, 504 and 498A of the Indian Penal Code.

As per the FIR, there is allegation against the petitioner that he demanded Rs.10 lac for running a business and thereafter ousted her from the house.

Submission of the learned counsel for the petitioner is that there is incompatibility between the petitioner and the complainant and due to that a divorce case has already been filed before the learned Family Court at Delhi and which is pending there. He is ready to pay the maintenance to the complainant till any order is passed by any competent court. The matter has been referred to the Mediation Centre also but it appears that the mediation failed .



Heard learned A.P.P. as well as the learned counsel for the O.P.no.2, who has submitted that she is ready to reside with the petitioner but he is not allowing her to reside. It further appears that O.P.no.2 has appeared in the divorce case. .

Having heard both sides and in view of the facts and circumstances, as stated above, till any other order is passed by Family court, the petitioner is directed to pay Rs.5,000/- (five thousand) to O.P.o.2 and on that condition he shall be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned CJM, Aurangabad in connection with Complaint Case No.1080 of 2017, subject to conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

It is also made clear that if the petitioner failed to deposit the amount continuously for three months, the O.P.no.2 shall have liberty to move for cancellation of his bail bond before court below itself.

With the aforesaid direction, this application is disposed of.

(Vinod Kumar Sinha, J)

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