

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45358 of 2019

Arising Out of PS. Case No.-11 Year-2019 Thana- MAHILA P.S. District- Vaishali

RAKESH KUMAR SINGH Son of Umesh Prasad Singh @ Umesh Singh
Resident of Village- Karjan, Athmalgola, Police Station- Barh, District- Patna,
At Present Purvi Anwarpur, Police Station- Hajipur Town, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Kumar Singh

For the Opposite Party/s : Mr.Meena Singh

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 22-10-2019 Petitioner seeks bail in anticipation of his arrest in connection with Mahila P.S.Case No. 11 of 2019, registered for the offences punishable under Sections 498A, 341, 323, 504 of the Indian Penal Code.

As per F.I.R there is allegation against the petitioner who happens to be husband of the informant that she was subjecting her to cruelty and ousted from the house.

Submission of the learned counsel for the petitioner is that the whole allegation is false and concocted as the mother of the petitioner is suffering from paralysis and in spite of that she had asked him to leave the mother and reside with the informant separately.

On the other hand, learned A.P.P. as well as counsel



appearing on behalf of the O.P. No. 2 has opposed the prayer of bail stating that petitioner was called for in the learned lower Court but he has not appeared before the learned lower Court. A maintenance case has also filed by the petitioner which is numbered as Maintenance case No. 201 of 2019 and last date was 16.9.2019 but petitioner has not appeared in that case and even he is not maintaining the informant.

Having heard both sides, considering the above submission, this application allowed. Let the petitioner, above named, surrender before the Court below and on surrender provisional bail granted to the petitioner vide order dated 23.07.2019 by this court is confirmed with condition that he has to appear in the maintenance case filed by the informant (O.P. No. 2) before the Family Court and shall co-operate in disposal of the maintenance case and will abide by any order pass by the Family Court either final or interim unless the same is modified or set aside by any higher Court.

(Vinod Kumar Sinha, J)

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