

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51822 of 2019

Arising Out of PS. Case No.-1468 Year-2017 Thana- BHABHU(KAIMUR) COMPLAIN C
District- Kaimur (Bhabua)

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RAMA SHANKAR CHAUBEY S/o Shiv Pujan Chaubey Resident of- 137,
Jaisinghpura, P.S. and District- Ujjain, Madhya Pradesh, Permanent residence
of village- Panapur, P.S.- Belawn, Distt.- Kaimur

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Bibha Devi W/o Rama Shankar Chaubey, D/o Late Chandarbhushan Pandey
R/o village- Ratvar, P.S.- Bhabua, Distt.- Kaimur (Bhabua)

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Dr. Amrendra Kumar with Mr. Vinod Kumar Seth, Advocates
For the complainant	:	Mr. Rajnikant Pandey, Advocate
For the Opposite Party/s	:	Ms. Asha Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 20-08-2019 Petitioner seeks bail in anticipation of his arrest in
connection with Complaint Case No. 1468 of 2017 in which
cognizance has been taken under Section 498A IPC and Sections 3/4
of Dowry Prohibition Act.

Allegation against the petitioner is of assaulting the
complainant-wife with respect to demand of Rs.2 lac and motorcycle.

Submission of learned counsel for the petitioner is that a
divorce case is pending between the parties in which there is an order
granting interim maintenance to opposite party No.2 and moreover
that divorce case has already been transferred to the Family Court,
Kaimur.

Heard learned APP and learned counsel for the
complainant appearing suo motu in this case has submitted tht he has



no knowledge that she is getting any interim maintenance.

In view of above facts and circumstances, this application is disposed of with direction to the petitioner to produce the order granting interim maintenance to opposite party No.2 before the court below, who will verify the same and release the petitioner on bail to its own satisfaction on the condition that he has to pay the maintenance amount regularly and on failure to pay the same continuously for three months, his bail bonds shall be cancelled. Further learned Family Court, Kaimur is directed, as submitted that the case has been transferred from the Family Court, Ujjain, Madhyapradesh to the Family Court, Kaimur, to take up the matter and before proceeding with the matter he will make an effort for reconciliation between the parties.

Let this order be sent to the Family Court, Kaimur at Bhabua.

(Vinod Kumar Sinha, J)

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