

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58388 of 2019

Arising Out of PS. Case No.-428 Year-2019 Thana- KUDHNI District- Muzaffarpur

Natwar Lal Sah, Son of Sita Ram Sah, Resident of Village - Sharma, Rasulpur
Fateh Hayat Urf Kaili, P.S.- Mahua, Dist.- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Yugal Kishore

For the Opposite Party/s : Mr.Choubey Jawahar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 19-09-2019 Heard learned counsel for the petitioner and State.

The petitioner is in custody in connection with Kudhani P.S. Case No. 428 of 2019 for the offence under Sections 341, 323, 498A, 504/34 of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner is the husband and the present case has been filed by the father of the wife of the petitioner. He submits that the petitioner is in custody since 04.07.2019.

Counsel appearing on behalf of the petitioner has enclosed the petition filed by the wife of the petitioner for divorce, bearing Divorce Case No. 230 of 2019. The materials available in the aforesaid petition manifests that the wife of the petitioner was treated with cruelty.

Considering the fact that the petitioner is seeking bail



in a case under Section 498A of the Indian Penal Code, the Court is inclined to grant bail to the petitioner, provided that the petitioner shall ensure payment of Rs.3,000/- per month as maintenance to his wife until final disposal of the divorce case filed by his wife, let the petitioner, named above, is directed to be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate-III, West, Muzaffarpur in connection with Kudhani P.S. Case No. 428 of 2019 with the further condition that the privilege of bail is available till the petitioner regularly pays Rs.3,000/- per month as maintenance to his wife and in the event, the maintenance is stopped by the petitioner, the court below shall be at liberty to cancel the bail bonds of the petitioner.

(Anil Kumar Upadhyay, J)

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