

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1015 of 2019

Arising Out of PS. Case No.-142 Year-2017 Thana- MUNGER COMPLAINT CASE
District- Munger

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Ghanshyam Murari S/o Late Ram Naresh Paswan R/v-Baghi,P.S-Lohiya
Nagar,Dist.-Begusarai

... .. Petitioner/s

Versus

1. State Of Bihar and Anr
2. Kumari Sunita W/o Ghanshyam Murari, D/o Sri Kaleshwar Prasad Das,
R/vill-Baghi, P.S-Lohiya Nagar,Distt.-Begusarai, at present Ghosi Tola,P.S-
Kasim Bazar,Dist.-Munger.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Surendra Kishore Thakur
For the Opposite Party/s : Mr.Sri Binod Kumar 3

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

5 27-03-2019 Heard the parties.

The petitioner is apprehending his arrest in connection with Complaint Case No.142(C)/2017 , registered for offences punishable under Sections 323, 498(A) of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

Allegation against the petitioner -husband is of demand of dowry and for that subjecting the O.P.no.2 of cruelty and also ousted her from the house.

Submission of the learned counsel for the petitioner is that as a matter of fact the OP.no.2 is suffering from mental diseased and due to that he has filed application under Section 12 of the Hindu Marriage Act and it is still pending. On the other hand the O.P.no.2 has appeared through a lawyer who has



submitted that the allegation of suffering from mental disease is false and concocted. The petitioner is a teacher and he is also not maintaining the O.P.no.2.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner, above named, surrender before the court below within a period of six weeks from the date of order and on surrender he will be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) in connection with Complaint Case No.142 (C) / 2017 subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure with further condition that he has to pay Rs.05,000/- (Rupees Five Thousand) per month to O.P.no.2 for a period of one year and in the meantime, O.P.no.2 may move before the appropriate court for grant of maintenance, if so desires and the petitioner shall co-operate in disposal of the maintenance case and order passed by this Court will be subject to any order passed in the maintenance case.

With the aforesaid observation, this application is disposed of.

(Vinod Kumar Sinha, J)

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