

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71959 of 2019

Arising Out of PS. Case No.-20 Year-2017 Thana- ISUAPUR District- Saran

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1. Harendra Mahto Son of Late Dindayal Mahto Resident of Village - Baldihan, P.S.- Amnour, Dist.- Saran.
 2. Guriya Devi W/o Harendra Mahto Resident of Village - Baldihan, P.S.- Amnour, Dist.- Saran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Usha Devi W/o harendra mahto, D/o Ganesh Mahto Resident of Village - Baldihan, P.S.- Amnour, Distt.- Saran. Presently Residing at Vill- Said Sarai, P.S.- Garkha, Distt.- Saran.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Chandra Shekhar Singh, Advocate
For the Opposite Party/s : Mr. Shyam Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 09-12-2019 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 494/307/34 of the Indian Penal Code.

Petitioner No.1 is husband of Opposite Party No.2 and petitioner No.2 is second wife of petitioner No.1.

Submission is that old matrimonial dispute is going on between petitioner No.1 and Opposite Party No.2 and the petitioner No.1 is already paying maintenance to Opposite Party



No.2 as ordered by the Court. The aforesaid fact is stated in paragraph 9 of the petition. Offence under Section 494 of the Indian Penal Code is bailable one.

Considering the aforesaid facts, let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bonds of Rs.20,000/- (Twenty Thousand) each with two sureties of the like amount each to the satisfaction of the learned Court-below where the case is pending in connection with Isuapur Police Station Case No.20 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the petitioners shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioners.

Before accepting the bail bond the learned Court-below shall verify as to whether up to date maintenance amount is paid or not.

(Birendra Kumar, J)

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