

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58836 of 2019

Arising Out of PS. Case No.-2145 Year-2018 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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BHIKHARI RAI Son of Jawahar Prasad @ Jawahar Rai Resident of Village-
Sirisia Damodarpur, P.S-Pipra, District-East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Nisha Devi Wife of Bhikhari Rai Resident of Khartari Bheriyahi Chiraya,
P.S.-Cheraya, District-East Champaran.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Rajesh Ranjan
For the Opposite Party/s	:	Mr.Binod Kumar
For O.P. No.2	:	Mr. Madhurendra Kumar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 18-09-2019 Petitioner seeks bail in anticipation of his arrest in connection with Complaint Case No. C-2145 of 2018 instituted for the offences punishable under Sections 323, 341, 490A, 494 of the Indian Penal Code and Sections 3/4 of Dowry Prohibition Act.

Allegation against the petitioner is of assaulting the informant with respect to demand and there is allegation that he remarried with another lady.

Submission of learned counsel for the petitioner is that marriage was solemnized 18 years ago and as he has no mail child he married another lady and she was living peacefully but on the pressure of her parents the present case has been



lodged.

Heard learned APP and learned counsel for the complainant, who has opposed the prayer stating that she is not getting any expenses.

In view of above facts and circumstances, this application is disposed of with direction to the petitioner to surrender within a period of two weeks from the receipt of this order and on condition that he has to pay Rs.3000/- per month to opposite party No.2 for a period of one year and during that period the opposite party No.2 is expected to file a maintenance case before the Family Court, Motihari in which on personal service of notice the petitioner will appear in the case and co-operate in disposal of the maintenance case and he has to abide by any order, either interim or final, passed by learned Family Court unless the same is modified or set aside by higher court and on such conditions petitioner shall be released on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, East Champaran, Motihari, in connection with Complaint Case No. C-2145 of 2018, corresponding to Trial No. 2399 of 2019, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. and



further condition is that one of the bailors of the petitioner shall be a local person having sufficient immoveable property within the jurisdiction of the court concerned.

(Vinod Kumar Sinha, J)

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