

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62204 of 2019

Arising Out of PS. Case No.-9 Year-2019 Thana- MAHILA THANA District- Begusarai

AMIT KUMAR @ AMIT Son of Prafulla Chandra Chaudhary Resident of
Mohalla - Sri Krishnapuri, Ward No.- 21 (Shanichara Sthan), P.S.- Begusarai
Town, District - Begusarai

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Nutan Singh Wife of Amit Kumar D/o Late Shyam Sakha Singh, Resident of
Village - Madhurapur, P.S.- Teghra, District - Begusrai

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Deepak Kumar
For the Opposite Party/s	:	Mr.Md. Mushtaque Alam
For O.P. No.2	:	Dr. Ms. Meeta Mohini

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

- 3 20-11-2019 Petitioner seeks bail in anticipation of his arrest in connection with Mahila P.S. Case No. 9 of 2019 registered for the offences punishable under Sections 323, 341, 504, 498A, 494, 34 of the Indian Penal Code and Sections 3/4 of Dowry Prohibition Act.

As per FIR petitioner happens to be husband of the informant and there is allegation that he demanded dowry and for that he assaulted her and there is also allegation that solemnized second marriage with another lady.

Submission of learned counsel for the petitioner is that earlier he has filed a petition under Section 9 of Hindu Marriage Act but later on he withdrew the same and filed a



divorce case and the matter was referred to the Mediation Centre but due to exorbitant demand of informant the matter could not be resolved. On the other hand, learned counsel for the informant has submitted that petitioner is an Engineer having foreign degree and well placed and working at Delhi and opposite party No.2 in the mediation was ready to reside with the petitioner but petitioner was not ready for that and she has made proposal for one time settlement but he refused to accept the same and lastly she made a proposal for bearing her expenses as well as expenses of her child, who is studying at D.P.S. in Noida and for that she has to bear Rs.15,000/- per month towards his education apart from fooding and transporting, on that learned counsel for the petitioner has submitted that he is ready to pay the same till any maintenance case is filed by opposite party No.2.

Heard learned APP also.

In view of above facts and circumstances and also considering the fact that this case relates to marital dispute between the parties, let petitioner surrender in the court below within a period of three weeks from the receipt of this order and on filing an undertaking that he is ready to pay Rs.20,000/- per month to opposite party No.2 for a period of one year, during



that period it is expected that opposite party No.2 shall approach the Family Court for grant of maintenance in which on personal service of notice petitioner has to appear and co-operate in disposal of the case and obey the order, either interim or final passed by learned Family Court unless the same is modified or set aside by any higher court and on that petitioner shall be released on bail by the court below. Opposite party No.2 is also directed to supply her Bank Account number to the court below so that petitioner may deposit the said amount in the bank account of opposite party No.2.

This application is, accordingly, disposed of.

(Vinod Kumar Sinha, J)

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