

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3078 of 2019**

Arising Out of PS. Case No.-694 Year-2017 Thana- MADHEPURA COMPALINT CASE
District- Madhepura

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RAVINDRA KUMAR @ RAVINDRA SHARMA Ramjee Mandal @ Ramjee
Badhai Resident of Village-Kishunganj, P.s Uda Kishunganj, District-
Madhepura

... .. Petitioner/s

Versus

1. The State of Bihar and anr Bihar
2. Rinku Kumari @ Rinki Kumari Ravindra Sharma @ Ravindra Kumar
Resident of village-Mishohi, P.S. and District-Madhepura

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Praveen Kumar Agrawal
For the Opposite Party/s : Mr.Kumar Veerendra Narayan

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

8 25-09-2019 Heard learned counsel for the parties.

The petitioner is apprehending his arrest in connection with Complaint Case No.694 of 2017 registered for offences punishable under Sections 341, 323, 504, 506, 493, 120B of the Indian Penal Code.

Allegation against the petitioner who happens to be husband of the complainant is that he has re-married with another lady and drove the complainant out of the house.

Submission of the learned counsel for the petitioner is that the complainant has also re-married with the another person, however, he has not denied the re-marriage of the petitioner.



Submission of the learned counsel for the O.P.no.2 is that she has one female child from that marriage and the petition is not allowing her to live even not paying maintenance in spite of the order dated 24.1.2019 passed in the Maintenance Case No.115 of 2017, in which though the petitioner appeared but he did not choose to contest the case.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, this application is disposed of with direction tot he petitioner to surrender by 16.10.2019 and on condition that he will start paying maintenance amount unless the same is modified or set aside by any higher court, the petitioner shall be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned ACJM-IIIrd, Madhepura in connection with Complaint Case No.694 of 2017, subject to conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

It is also made clear that if the petitioner is not paying maintenance amount continuously for three months, the O.P.no.2 shall have liberty to move for cancellation of his bail bond before the learned court below.



With the above direction, this application is disposed of.

(Vinod Kumar Sinha, J)

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