

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80756 of 2018

Arising Out of PS. Case No.-607 Year-2018 Thana- VAISALI COMPLAINT CASE District-
Vaishali

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Chandan Kumar Singh, son of Ravindra Prasad Singh, Resident of Village -
Dolahi Abhiman, P.S. Amnaur, District-Saran.

... .. Petitioner

Versus

1. The State of Bihar,
2. Ritu Kumari, wife of Chandan Kumar Singh, Daughter of Pramod Kumar Singh, Resident of Village-Dhandhua, P.S. Jandaha, District-Vaishali.

... .. Opposite Parties

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Appearance :

For the Petitioner/s	:	Mr. Shravan Kumar, Sr. Advocate,
For the O.P. No.2	:	Mr. Awadh Bihari Ojha, Sr. Advocate,
		Mr. Nitesh Kumar, Advocate,
		Mr. Pramod Kumar, Advocate,
For the Opposite Party/s :		Mr. Ram Anurag Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

9 03-07-2019 Heard learned counsel for the petitioner, learned

counsel appearing on behalf of the O.P. No.2 and the learned

A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Tr. No. 3241 of 2018, arising out of Complaint Case No.
607 of 2018, registered under Section 498(A)/34 of the Indian
Penal Code.

The accusation is that the marriage of the
complainant/O.P. No.2 was performed with the petitioner on
29.04.2016 according to Hindu customs. At the time of
settlement of marriage, the parents of O.P. No.2 had given cash



and other articles according to their capacity, but demand of four wheeler was made. Anyhow, the marriage of O.P. No.2 was performed with the petitioner. After marriage, O.P. No.2 went to her matrimonial house, where she was kept properly for one months. Thereafter, Chandan Kumar Singh (Petitioner) became P.O in the Bank and they, again, started demand of four wheeler, while parents of O.P. No.2 tried to convince the petitioner stating that he had given gift and ornaments of Rs. Five lakhs and Rs. 2,50,000/- was also given as expenses for Barat, but lastly the O.P. No.2 was removed from her matrimonial house snatching her personal belongings.

Learned counsel for the petitioner submits that in the light of order dated 19.01.2019, the petitioner and O.P. No.2 appeared, but due to rigid attitude of the O.P. No.2, the matter could not be resolved. Further submission is that Divorce Case No. 246 of 2018 has been filed by the petitioner in the Court of Principal Judge, Family Court, Saran at Chapra against the O.P. No.2.

Learned counsel appearing on behalf of the complainant/O.P. No.2 submits that, if the petitioner does not want to live with the O.P. No.2 as husband and wife then he may be directed to give interim maintenance as the petitioner is



P.O in Central Bank of India, Hasanpura Branch, Chapra.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Vaishali at Hajipur in connection with Tr. No. 3241 of 2018, arising out of Complaint Case No. 607 of 2018, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

However, it is made clear that if the complainant/O.P. No.2 files application under Section 24 of the Hindu Marriage Act interim maintenance in Divorce Case No.246 of 2018, the Principal Judge, Family Court, will decide the matter in accordance with law.

(Rajendra Kumar Mishra, J)

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