

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.521 of 2020

Arising Out of PS. Case No.-75 Year-2017 Thana- BAIKUNTHPUR District- Gopalganj

Samim Sai @ Salim Sai, Son of Mahbub Sah @ Mahboob Sai, Resident of Village -Reotith, P.S.- Baikunthpur, District - Gopalganj.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rabeya Khatoon, Wife of Samim Sai @ Salim Sai, Resident of Village - Reotith, P.S.- Baikunthpur, District - Gopalganj. At present resides at village- Sirsa, P.S.- Baikunthpur, District- Gopalganj.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajeev Ranjan
For the Opposite Party/s : Mr.Satyadeo Singh Yadav

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

3 31-01-2020 Heard learned counsel for the petitioner and State and the informant.

The petitioner is in custody in connection with Baikunthpur P.S. Case No. 75 of 2017 for the offence under Sections 323, 147, 498(A), 379, 452, 380 of the Indian Penal Code and Sections 3/4 of the D.P. Act.

Learned counsel for the petitioner submits that the petitioner is paying maintenance to the wife in terms of the order passed by the Court. He further submits that the petitioner has got no criminal antecedent and he is in custody since 06.11.2019.

Learned counsel for the informant opposes the prayer



for bail. He submits that the petitioner is neglecting the wife in the matter of payment of maintenance.

Considering the fact that the court below has issued direction for payment of monthly maintenance of Rs.3,000/-, the petitioner, named above, is directed to be released on bail on furnishing bail bonds of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of Judicial Magistrate, 1st Class, Gopalganj in connection with Baikunthapur P.S. Case No. 75 of 2017 with the condition that the petitioner may continue to pay Rs.3000/- monthly to the opposite party no.2 and in the event of failure to make monthly payment of Rs.3000/-, liberty shall be available to the informant to bring to the notice of court below and on receipt of such complaint the court below shall cancel the bail bonds of the petitioner.

(Anil Kumar Upadhyay, J)

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