

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65692 of 2019

Arising Out of PS. Case No.-1 Year-2019 Thana- MAHILA P.S. District- Muzaffarpur

MANI BHUSHAN KUMAR Son of Rishikesh Thakur Resident of Village- Dhobgama, P.S.- Pusa, District- Samastipur, presently residing at 4 Square Elegant, Block- A, Flat- 405, Madhavapuri Hills, PJR Enclave, Road No. -5, Madinaguda, Hyderabad. Petitioner.

Versus

1. The State of Bihar.
2. Swastika Wife of Mani Bhushan Kumar Resident of Village- Dhobgama, P.S.- Pusa, District- Samastipur, presently residing in the house of father Late Umakant Rai, Resident of Village- Mishra Tola, Gunnipur, P.S.- Kazimohammadpur, District- Muzaffarpur.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Satyavrat Verma
For the O.P. No.2	:	Mr. Pravin Kumar
For the Opposite Party/s	:	Mr. Dr. Indihar Kumari

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 04-03-2020 Heard learned counsel for the petitioner, learned counsel for the opposite party no.2 and learned A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Section 323, 324, 498 A, 504 & 506/34 of the Indian Penal Code.

Petitioner along with his family members is said to have tortured the informant in various ways and also tried to kill her.

It is submitted by learned counsel for the petitioner that no such occurrence as alleged ever took place.



He has been falsely implicated in this case. The informant joined a Government school as teacher and did not want to leave her job and to go and stay with the petitioner. It is further submitted that the petitioner had filed Divorce Case No.140 of 2014 in the Court of learned Principal Judge, Family Court, Samastipur on the ground of cruelty and torture. Earlier, the matter was referred to Mediation Center and the issue was resolved and accordingly cases filed from both sides were dropped but due to stubborn attitude of opposite party no.2, petitioner has again filed Divorce Case No.554 of 2018 in the Court of learned Principal Judge, Family Court, Muzaffarpur which is pending.

On the other hand, learned counsel for the opposite party no.2 opposing the bail petition submitted that informant is ready to live with the petitioner.

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 six weeks from today, on furnishing bail bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate 1stClass, East Muzaffarpur in



connection with Muzaffarpur Mahila P.S. Case No. 01 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. and subject to further condition that petitioner would pay Rs.10,000.00 (Rupees Ten Thousand) per month to opposite party no.2 on every 7th of the month, till the final outcome of the divorce case, and failure to do so on two consecutive months, his bail bond may be cancelled by the learned Court below.

(Anjani Kumar Sharan, J)

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