

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80120 of 2019

Arising Out of PS. Case No.-1481 Year-2015 Thana- BHABHU(KAIMUR) COMPLAIN C
District- Kaimur (Bhabua)

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SHRIKANT BIND Son of Ram Chandra Bind Resident of Village- Sahuka,
P.S.- Ramgarh, District- Kaimur at Bhabua.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Pushpa Devi Wife of Shrikant Bind, D/o Mohan Bind Resident of Village- Sahuka, P.S.- Ramgarh, District- Kaimur at Bhabua, at present resident of Village- Bhadari, P.S.- Chanipur, District- Kaimur at Bhabua.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pawan Kumar Singh
For the Opposite Party/s : Mr.Sangeeta Sharma

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 13-01-2020 The petitioner seeks regular bail in connection with

Complaint Case No. 1481/2015, registered for offences

punishable under Section 498(A) of the Indian Penal Code.

Petitioner happens to be husband of the complainant

and allegation against him is of subjecting the complainant to

torture with respect to demand of dowry of Rs. 50,000/-. It

further appears from record that in anticipatory bail, the

petitioner was ready to keep the complainant and taken her

with himself but, thereafter, she was again subjected to cruelty

and torture and due to which, the provisional bail granted to

the petitioner was cancelled.



Submission of learned counsel for the petitioner is that he has falsely been implicated in this case and has been in custody for more than three months .

Heard learned A.P.P. as well as learned counsel for the complainant. They have opposed the prayer for bail. Learned counsel for the complainant has submitted that the petitioner is not ready to keep the complainant. Moreover, in the a case filed by the complainant under Domestic Violence Act, there was direction to the petitioner to pay Rs. 4,000/- per month to the complainant and against the order passed in domestic violence act, he has filed quashing application and against the order of maintenance, the petitioner has also filed an appeal before the learned Sessions Judge and he is not paying a single penny to the complainant.

Having heard both sides, in view of the above facts, this application is disposed of with, let the petitioner above named be released on bail on furnishing bail bonds of Rs. 25,000 (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate -I, Kaimur at Bhabhua, in connection with Complaint Case No. 1481/2015, on condition that petitioner after release will make current payment to opposite party no. 2



directed by the learned Magistrate in the order passed in a case
filed by the complainant under Domestic Violence Act.

It is made clear that the order for payment of
maintenance amount will be subject to any modification or
order passed by the appellate court.

(Vinod Kumar Sinha, J)

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