

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30487 of 2021

Arising Out of PS. Case No.-1 Year-2021 Thana- MAHILA PS District- Aurangabad

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RANJAN KUMAR S/o Suresh Singh R/o village- Sattar, P.S.- Mali, District-
Aurangabad

... .. Petitioner/s

Versus

1. The State of Bihar
2. Anita Singh W/o Ranjan Kumar, D/o Mithilesh Kumar Singh R/o village-
Bharthauli, P.S.- Muffasil, District- Aurangabad

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Md. Najmul Hodda

For the Opposite Party/s : Mr. Satya Nand Shukla

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 12-01-2022 Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State as well as learned

counsel for the opposite party No. 2 through video

conferencing.

The petitioner apprehends his arrest in connection
with Mahila P.S. Case No. 01/2021 registered for the offences
punishable under Sections 498(A)/504/506/34 of the Indian
Penal Code.

At the very outset, learned counsel for the petitioner
has offered to pay a maintenance amount of Rs. 25,000/-
(Rupees Twenty Five Thousand) per month to the opposite party
No. 2 and her three children.



Considering the aforesaid submissions and the materials available on record and the allegations and counter allegations between the parties and also the fact that the veracity of the allegations and counter allegations cannot be tested in this anticipatory bail proceeding, the prayer for bail of the petitioner is allowed.

Accordingly, let the petitioner above named be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Aurangabad, in connection with Mahila P.S. Case No. 01 of 2021, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

It is made clear that if the petitioner fails to give monthly maintenance of Rs. 25,000/- to the opposite party No. 2, his bail bonds are liable to be cancelled.

The aforesaid maintenance amount shall be transferred by the petitioner in the bank account of opposite party No. 2 by 10th day of each month. Details of the bank account shall be furnished by the opposite party No. 2 to the petitioner.



The Principal Judge, Family Court, Aurangabad, is directed to dispose of the Maintenance Case within a period six months from today.

If any delaying tactics is adopted by the petitioner, the proceeding of the maintenance case shall not be adjourned without any cogent reason.

It has come to the notice of this Court that the Family Courts in Bihar are taking the maintenance cases very lightly. They are proceeding with the maintenance cases as they are proceeding with the title suits. The Family Courts should give preference to the cases filed for maintenance and it should be decided expeditiously. Though, the Family Courts have been made aware of the judgment of the Hon'ble Apex Court passed in the case of *Rajnish vs. Neha & Ors. [(2021) 2 SCC 324]*, but this judgment has also not been followed by most of the Family Courts in Bihar.

With the aforesaid directions and observations, this application for grant of anticipatory bail is allowed.

(Sandeep Kumar, J)

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