

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30845 of 2021

Arising Out of PS. Case No.-11 Year-2021 Thana- MAHILA PS District- Buxar

RAJKUMAR YADAV S/O Biletan Yadav R/O vill. - Chakarahi, P.S. - Bihiya,
Dist. - Bhojpur.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Anshu Devi Wife of Rajkumar Yadav , D/O Bindeshwari Singh R/O vill.
Dubhaki, P.S. Krishnabrahm, Dist. - Buxar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dr. Kamal Deo Sharma
For the Opposite Party/s : Mr. Jagdhar Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

4 28-01-2022 Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State through video

conferencing.

The petitioner apprehends his arrest in connection
with Buxar (Mahila) P.S. Case No. 11/2021 registered for the
offences punishable under Sections 341/323/498(A)/504/506/
494/34 of the Indian Penal Code

At the very outset, learned counsel for the petitioner
has offered to pay maintenance of Rs. 5,000/- (Five Thousand)
per month to his wife and child.

Considering the submission of the parties and the fact
that this case has been registered under Section 498A of the



Indian Penal Code, inasmuch as, there are allegations and counter allegations, which cannot be decided in this anticipatory bail proceeding, the present anticipatory bail application 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 Chief Judicial Magistrate, Buxar, in connection with Buxar (Mahila) P.S. Case No. 11/2021, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C. and also with condition that the petitioner shall pay maintenance of Rs. 5000/- per month to the opposite party No. 2 beginning from January, 2022 which shall be paid by the 10th of February, 2022.

The maintenance amount shall be deposited in the bank account of opposite party No. 2 by the 15th of every month, details of which shall be provided by learned counsel for the opposite party No. 2 to learned counsel for the petitioner appearing in the court below. In default of payment of the maintenance amount of Rupees Five Thousand, the bail order of the petitioner shall be treated to be recalled.



It has been submitted by learned counsel for the opposite party No. 2 that a Maintenance Case No. 54 of 2021 has been filed by the opposite party No. 2 in the Court of Principal Judge, Family Court, Buxar.

It is directed that the petitioner shall appear in the Maintenance Case No. 54 of 2021 pending in the Court of Principal Judge, Family Court, Buxar on 08.02.2022.

The maintenance case shall be decided by the Principal Judge, Family Court, Buxar, within a period of three months from today and submit a compliance report before this Court after conclusion of the case.

Put up this case after three months for compliance report.

With the aforesaid direction and observations, this application is allowed.

(Sandeep Kumar, J)

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