

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44843 of 2021

Arising Out of PS. Case No.-4 Year-2021 Thana- MAHILA P.S. District- Rohtas

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1. MUNNA SINGH @ ROUSHAN SINGH S/o Late Dharmendra Singh R/o village- Marojhiya, P.S.- Nasiriganj, Distt.- Rohtas at Sasaram
 2. Chandan Singh S/o Late Dharmendra Singh R/o village- Marojhiya, P.S.- Nasiriganj, Distt.- Rohtas at Sasaram
 3. Kundan Singh S/o Late Dharmendra Singh R/o village- Marojhiya, P.S.- Nasiriganj, Distt.- Rohtas at Sasaram
 4. Aman Singh S/o Late Dharmendra Singh R/o village- Marojhiya, P.S.- Nasiriganj, Distt.- Rohtas at Sasaram
 5. Shushila Kuwar W/o Late Dharmendra R/o village- Marojhiya, P.S.- Nasiriganj, Distt.- Rohtas at Sasaram

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Nandan Kumar S/o Late Dharmendra Singh R/o village and P.O.- Marojhiyan, P.S.- Nasiriganj, Distt.- Rohtas at Sasaram

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dharmendra Kumar Singh
For the Opposite Party/s : Mr.Humayou Ahmad Khan

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

5 31-03-2022 Heard the parties.

Learned counsel for the petitioner is permitted to remove the defect (s), as pointed out by the office, if any, within a period of four weeks from today.

The petitioners seek anticipatory bail in connection with Rohtas Mahila P.S. Case No. 04 of 2021 registered for the offences under Sections 498A, 341,323, 504and 506/34 of the Indian Penal Code and under Sections 3/ 4 of the Dowry



Prohibition Act.

Petitioners are the in-laws of the informant.

Considering the relationship of the petitioners with the informant, this anticipatory bail application is allowed.

Let the petitioners, above named, in the event of his arrest/surrender within eight weeks from today in the court below, be released on bail on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Rohtas at Sasaram in connection with Mahila P.S case No. 04 of 2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

It has been informed by learned counsel for the opposite party no.2 that opposite party no.2 has filed Maintenance Case No. 89 of 2021 in the Court of learned Principal Judge, Family Court, Rohtas at Sasaram, which is still pending as the husband of opposite party no.2 is not cooperating in the aforesaid Maintenance Case.

It seems that now the petitioners have knowledge about the maintenance case. They are directed to inform the husband of the opposite party no.2 to appear in the Family Court so that the maintenance case shall be decided.



The Principal Judge, Family Court, Rohtas at Sasaram, is directed to dispose of maintenance case within a period of three months from today. While deciding the maintenance case, the Principal Judge will consider the guidelines issued by the Hon'ble Supreme Court in the case of **Rajnesh Vs. Neha & Ors. [(2021) 2 SCC 324]**.

The husband of opposite party no. 2 is directed to appear in the maintenance case in the Court of Principal Judge, Family Court, Rohtas at Sasaram and thereafter the Family Court shall proceed expeditiously in the matter.

The husband of the opposite party no.2 is serving in Railway as driver. He is directed to pay maintenance amount of Rs.15,000/- per month to the opposite party no.2 as his salary is more than 50,000/- per month. If the husband of opposite party no.2 fails to pay the maintenance amount, then the opposite party no. 2 shall be at liberty to approach the Railway Authority and the authority concerned shall deduct the maintenance amount and credit in the account of the opposite party no. 2.

(Sandeep Kumar, J)

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