

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.628 of 2021**

Arising Out of PS. Case No.-1511 Year-2019 Thana- BEGUSARAI COMPLAINT CASE
District- Begusarai

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AMIT KUMAR ROUTE @ AMIT KUMAR RAUT @ AMIT KR. RAUT @
AMIT KUMAR ROUT Son of Deep Lal Raut Resident of Village- Shishu
Niketan Road, Babupara, P.S.- Jalpaiguri, Distt- Jalpaiguri, West Begual

... .. Petitioner/s

Versus

1. The State of Bihar
2. MADHUMALA Wife of Amit Kumar Route @ Amit Kumar Raut @ Amit
Kr. Raut, D/o Suresh Ram Presently Residing at Village- Nagda, Ward
No.10, P.S.- Muffasil, Distt- Begusarai.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Mr.Sandip Kumar Gautam, Advocate
For the Opposite Party/s :	Mr.Ram Sumiran Rai, APP
	Mr.Amresh Kumar Verma, Advocate

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

9 21-06-2022 Heard learned counsel for the parties.

The petitioner apprehends his arrest in a case registered
under sections 498(A), 494, 406 of the IPC.

Petitioner, who is husband of the informant, is said to
have committed torture upon the informant in association of his
family members and it is alleged that he has solemnized second
marriage.

It is submitted by learned counsel for the petitioner that
petitioner is an innocent person and has committed no offence.
Petitioner has never made any torture upon his wife and has



been falsely implicated in the present case due to grudge. There is general and omnibus allegation against the petitioner and he is ready and willing to keep his wife with full honour and dignity. The petitioner has relied upon the judgment of this Court in the case of ***Md. Naimul Haque Ansari @ Naimul Haque Ansari & Ors. Vs. The State of Bihar, reported in 2006 (3) PLJR 182.***

In that view of the matter, let the petitioner, named above, in the event of his arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail, on furnishing bail bonds of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below, where the case is pending/Successor court, in connection with Complaint Case No.1511 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

Petitioner is ready to pay Rs.4000/- (Rupees Four Thousand) per month to opposite party no.2 in the second week of every month for a period of one year, for her maintenance, as per the bank account details furnished by her in the learned Court below.

It is made clear that if the petitioner fails to pay the aforesaid amount on three consecutive months, opposite party



no.2 shall be at liberty to move before the learned Court below for cancellation of the bail bond of the petitioner.

It goes without saying that the aforesaid payment shall be subject to any order passed in matrimonial maintenance case or any other collateral proceedings.

It is submitted by learned counsel for the O.P. No.2 that he has filed a maintenance case but the petitioner does not appears in the same.

Petitioner is directed to appear in the said maintenance case and if he fails to appear on three consecutive dates, his bail bonds shall be cancelled by the learned court below itself.

Accordingly, this application stands disposed of.

(Anjani Kumar Sharan, J)

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