

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62066 of 2021

Arising Out of PS. Case No.-256 Year-2018 Thana- WEST CHAMPARAN COMPLAINT
District- West Champaran

=====

Basant Kumar @ Nilesh Kumar @ Nilesh Mahto, S/o Mukhlal Mahato,
Resident of Langra, P.S.- Shikarpur District- West Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. MADHU DEVI, W/o Basant Kumar @ Nilesh Kumar, D/o Ramanath Chaudhary, Resident of Langra, P.S.- Shikarpur, District- West Champaran, At present Resident of Suhpur, Shauhari, P.S.- Shirhawa, District- Parsa, Nepal

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Advocate
For the Opposite Party/s : Mr. Tapeswar Sharma, APP

=====

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 25-03-2022 Heard learned counsel for the parties through video conferencing..

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

The petitioner apprehends his arrest in connection with Complaint Case No. 256-C of 2018 for offences under Sections 498A of the Indian Penal Code.

There are allegations and counter allegations by the parties, which cannot be verified by this Court in the anticipatory bail proceedings.



Considering the above and also considering the law laid down by the Apex Court in the case of **Arnesh Kumar Vs. The State of Bihar & Ors.**, reported in **(2014) 8 SCC 273**, this application is allowed.

Accordingly, let petitioner, above-named, in the event of his arrest or surrender within four weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of Sub-Divisional Judicial Magistrate, Bettiah, West Champaran in connection with Complaint Case No. 256-C of 2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

It has been submitted by the learned counsel for the petitioner that Maintenance Case No. 70 M of 2019 has been filed by the opposite party no.2 in the Court of Principal Judge, Family Court, Bettiah, West Champaran.

The Principal Judge, Family Court, Bettiah, West Champaran is directed to expedite the maintenance case and decide it within a period of three months from today.

If any of the parties do not co-operate the Family Court in the maintenance matter, then the Court will proceed in accordance with law and decide the same within the time frame of three months.



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

(Sandeep Kumar, J)

uday/-

U		T	
---	--	---	--

