

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71021 of 2021**

Arising Out of PS. Case No.-75 Year-2018 Thana- MAHILA P.S. District- Kaimur (Bhabua)

Rakesh Ram Son of Late Gurhu Ram Resident of village - Gogaodhi, P.S.-
Ramgarh, District - Kaimur at Bhabua.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Dharmendra Kumar Singh, Advocate
For the Opposite Party/s	:	Dr. Indihar Kumari, APP
For the Informant	:	Mr. Tribhuvan Narayan, Advocate

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 02-08-2022 Heard learned counsel appearing on behalf of the petitioner, learned APP for the State and learned counsel for the informant.

It is submitted by learned counsel appearing on behalf of the petitioner that the matter has been amicably settled between the parties, where petitioner is ready to pay Rs.4,000/- (Rupees Four Thousand) per month to his wife/O.P. no.2, namely, Premshila Devi, besides allowing O.P. no.2/wife to reside in the house of the petitioner in village Gogaodhi. It is submitted that 5 dismil of land, which belongs to the petitioner, is also compromised to be left in favour of O.P. no.2/wife for the purpose of marriage and education of minor daughter and son.

Learned APP, duly assisted by learned counsel appearing on behalf of the informant, supported the factum of



compromise between the parties in the aforesaid terms, as submitted.

It is submitted by learned counsel for the informant that petitioner should be restrained to sell the aforesaid 5 dismil of land, which may be used in future, at the time of marriage of two minor daughters.

In view of the submissions advanced by the parties, petitioner is directed to pay Rs.1000/- (Rupees One Thousand) immediately to his wife/O.P. no.2, to open a bank account in a nationalized bank, where petitioner is to deposit Rs.4,000/- (Rupees Four Thousand) per month, subject to the following conditions:

(i) That O.P. no.2/wife is to open her bank account by 31.08.2022, where petitioner has to deposit the first installment on or before 7th day of every calendar month starting from the month of September, 2022.

(ii) That O.P. no.2/wife, alongwith her minor daughter and son, shall continue to reside in the present household, belongs to the petitioner



and her residential right shall not be
disturbed in any manner whatsoever.

If the petitioner failed to comply, the aforesaid
direction, in furtherance of compromise, as submitted, the bail
bond of the petitioner shall be liable to be cancelled by the Trial
Court itself.

Considering the aforesaid terms and also by
considering that the dispute and differences have been amicably
settled between the parties, let the provisional bail of the
petitioner be confirmed with the same bail bond and sureties, as
furnished at the time of provisional bail.

Let a copy of this order be send to learned Secretary,
District Legal Service Authority (DLSA), Kaimur (Bhabua) to
extend service in favour of O.P. no.2/wife, namely, Premshila
Devi, to open her bank account, with any nationalized bank of
her choice, before 31.08.2022, if so approached, as to receive
monthly maintenance, in terms of aforesaid direction.

(Chandra Shekhar Jha, J)

Ankit/-

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

