

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86323 of 2019

Arising Out of PS. Case No.-2651 Year-2018 Thana- COMPLAINT CASE District- Araria

ROOP KUMAR MANDAL Son of Jhaltoo Mandal Resident of Village -
Baigna, P.S.- Jokihat, Distt.- Araria.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Devki Devi W/o Roop Kumar Mandal, D/o Jhubar Mandal Resident of
Village - Baigna, P.S.- Jokihat, Distt.- Araria.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Naushad Uzzoha

For the Opposite Party/s : Mr.Sharda Kumari

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

5 07-01-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner apprehends his arrest in connection
with Complaint Case No. 2651 of 2018 registered for the
offences punishable under Sections 498A/494 of the Indian
Penal Code.

At the very outset, learned counsel for the petitioner
has offered to pay maintenance of Rs. 3000/- per month to the
opposite party No. 2.

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 Sub Divisional Judicial Magistrate, Araria, in connection with Complaint Case No. 2651 of 2018, 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. 3000/- to the opposite party No. 2 beginning from January, 2022.

The maintenance amount shall be deposited in the bank account of opposite party No. 2, 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 aforesaid maintenance amount, the bail bonds of the petitioner is liable to be cancelled.

It has been submitted by learned counsel for the opposite party No. 2 that a maintenance case has been filed by the opposite party No. 2 in the Family Court, Araria, and the



petitioner is not co-operating in the same.

Learned counsel for the opposite party No. 2 is directed to supply the details of the maintenance case to the learned counsel for the petitioner who is appearing in the Court below and, thereafter, the petitioner shall appear in the maintenance case. The maintenance case shall be decided by the Principal Judge, Family Court, Araria, within a period of four months from today and submit a report before this Court.

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

(Sandeep Kumar, J)

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