

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8392 of 2023

Arising Out of PS. Case No.-1 Year-2022 Thana- MAHILA P.S. District- Sitamarhi

Harendra Kumar S/O Baidyanath Mahto R/V- Muraliya Chak Bharti Nagar,
Ward No. 3, Kharka Road, P.S.- Sitamarhi, District- Sitamarhi

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rinku Kumari W/O Harendra Kumar D/O Arvind Kumar R/V- Muraliya Chak Bharti Nagar, Ward No. 3, Kharka Road, P.S.- Sitamarhi, District- Sitamarhi At Present R/V- Khairwa, P.S.- Riga, District- Sitamarhi

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Santosh Kumar
For the Opposite Party/s : Mr.Chandra Bhushan Prasad

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 13-04-2023 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

The petitioner has prayed for bail in a case registered
for the offence punishable under Sections 323, 498(A), 494,
504/34 of the Indian Penal Code.

As per the allegation in FIR, petitioner, being the
husband of the informant and other co-accused persons
tortured the informant mentally and physically and ousted
her from her matrimonial house due to giving birth only to
female children. It is further alleged that petitioner has
solemnized second marriage with one Ragini Devi, who



also torture the informant.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has falsely been implicated in this case. It is further submitted that petitioner and the informant was having good relationship and they were blessed with two daughters. A statement has been made in para 3 of the petition that petitioner has clean antecedent. Petitioner is languishing in judicial custody since 14.12.2022.

Learned counsel for the informant and APP appearing on behalf of the State have prayed for some maintenance for survival of the complainant as she is a housewife and she is not able to maintain herself.

The petitioner is directed to make payment of Rs. 4,000/- per month to the informant by depositing the same in her bank account commencing from the month of April, 2023.

In the alternative, the petitioner is ready to make payment of Rs. 4,000/- as interim maintenance to the informant.



In the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousands only) with two sureties of the like amount each to the satisfaction of the learned Sub Divisional Judicial Magistrate, Sadar, Sitamarhi in connection with Sitamarhi Mahila P.S. Case No. 01 of 2022.

The aforesaid payment will be subject to any order being passed in the matrimonial or maintenance proceeding.

(Sunil Kumar Panwar, J)

nirajkrs/-

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

