

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25102 of 2022

Arising Out of PS. Case No.-1378 Year-2019 Thana- PATNA COMPLAINT CASE District-
Patna

=====

RAMAN KUMAR Son of Uma Shankar Pal Resident of Ward No.- 9, Village
- English Chirchroun, P.S.- Akbarnagar, District - Bhagalpur

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Shilpi Kumari Wife of Raman Kumar Daughter of Late Devendra Prasad Pal, Presently residing at Mohalla - Rajendra Nagar, Road No.- 1, P.O.- Purbi Lohanipur, P.S.- Kadamkuan, District - Patna, Pin - 800016.

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s	:	Mr.Rakesh Kumar Sharma, Adv.
For the Opposite Party/s	:	Mr.Dinesh Singh, APP
For the Informant	:	Mr.Deepak Kumar, Adv.

=====

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

- 3 16-01-2023 Heard learned counsel for the petitioner, State and
the informant.

The petitioner apprehends his arrest in connection with Complaint Case No. 1378C of 2019 instituted under Sections 498A, 406, 354 of the Indian Penal Code and Section 3 and 4 of the D.P. Act.

Pursuant to the last order passed by the Coordinate Bench, the informant has appeared through her counsel.

Learned counsel for the petitioner submits that the lady has already filed Matrimonial Suit No. 124 of 2022 which is pending before the court of Principal Judge, Family Court,



Patna. He further submits that till any order is passed by the concerned Court regarding her maintenance, he is ready to give assistance of Rs. 3000/- per month beginning January 2023.

Learned counsel for the informant do not have any objection.

Taking into account the fair submission on behalf of the learned counsel for the petitioner, this Court thinks it proper that once a divorce suit has already been preferred before the concerned Court, there is no purpose sending him to the jail. Till any order is passed by the learned court on maintenance to the lady, the petitioner shall be paying Rs. 3000/- per month beginning January, 2023 and from February, 2023, the same will be paid by 10th of the said month failing which the informant shall be entitled to take steps for cancellation of his bail bond. The payment order shall merge with the any order passed by the learned Court in maintenance case.

The informant shall be providing the bank account details to the learned counsel for the petitioner.

Let the petitioner be released on bail, in the event of his arrest or surrender before the Sub-ordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) each with two



sureties of the like amount each in connection with Complaint
Case No. 1378C of 2019 to the satisfaction of learned Judicial
Magistrate-1st Class, Patna, subject to the conditions as laid
down under Section 438(2) of the Cr.P.C.

(Rajiv Roy, J)

Ravi/ Ajay
Singh/-

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

