

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33888 of 2022

Arising Out of PS. Case No.-379 Year-2019 Thana- BHABHU(KAIMUR) COMPLAIN C
District- Kaimur (Bhabua)

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RAJEEV BISWAS S/o Late Kartik Biswas R/o Pakwada, behind Chamunda Temple, Gali No.2, P.S.- Pakwada, District- Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Tulika Raj W/o Rajeev Biswas, S/o Sunil Kumar Biswas R/o Pakwada behind Chamunda Temple, Gali No. 2, Pakwada, District- Muradabad, at present R/o Village- Bhabua ward No.13, P.S.- Bhabua, District- Kaimur Bhabua.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Ashutosh Tripathy, Advocate
For the Opposite Party/s	:	Mr. Pushpa Sinha, APP
For the Informant	:	Mr. Dharmendra Kumar Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 31-01-2023 Heard learned counsel for the petitioner, informant and the State.

The petitioner apprehends his arrest in connection with Complaint Case No. 379 of 2019 for the offence registered under Sections 498A and 406 of the Indian Penal Code.

Pursuant to the last order dated 28.11.2022 passed by the co-ordinate Bench of this Court, the couple are present in the Court.

It has been submitted on behalf of the learned counsel for the petitioner that he is presently working at Teerthankar Mahaveer University, Moradabad and it has been specifically



stated by him that he earns only Rs. 22,000/- per month from the said university while working as HR Executive.

The informant will be free to ascertain the salary of the petitioner as to whether the correct statement has been made before this Court by the petitioner or not ?

The Court had a conversation with the lady and it seems that considering the kind of harassment she has suffered, she had genuine fear of living with him and wants to stay with her parent and take care of her beautiful daughter, namely, Adhya Biswas who is studying in Class IV at D.A.V. School, Bhabhua.

Learned counsel for the petitioner, on instructions, submits that out of Rs. 22,000/-, the petitioner is ready to pay Rs. 5,000/- as maintenance to the lady as also Rs. 1,000/- to his daughter, Adhya Biswas and the same will start from 10th of February, 2023.

It is further submitted by the learned counsel for the petitioner that Rs. 6000/- will be increased by Rs. 1000.- every year till an order is passed in any maintenance case whereafter this order may merge with that order.

On the basis of the aforesaid development that has taken place as also the fair submission put forward by the



learned counsel for the petitioner, this Court is inclined to extend the privilege of anticipatory bail.

Learned counsel for the informant will be providing the account number of the lady in which the aforesaid amount will be transferred on 10th of every month failing which the informant will be free to take recourse for cancellation of his bail bond.

Let the petitioner, in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Kaimur at Bhabua in connection with Complaint Case No. 379 of 2019 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Rajiv Roy, J)

Jagdish/Neha/-

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