

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59920 of 2022

Arising Out of PS. Case No.-44 Year-2021 Thana- MAHILA P.S. District- Lakhisarai

Ashok Kumar Son Of Late Saran Yadav Resident Of Village - Kiul
Vrindavan, Prs P.S.- Kiul, District - Lakhisarai.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanju Singh

For the Opposite Party/s : Mr.Md. Iftekhar Mahmood

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 17-02-2023 Heard learned counsel for the petitioner, learned APP
for the State.

The petitioner has prayed for bail in a case registered
for the offence punishable under Sections 341, 323,
498(A)/34 of the Indian Penal Code.

As per the allegation in FIR, petitioner, being the
husband of the informant, was living in an illegal
relationship with other woman. When the informant raised
protest, petitioner assaulted her. It is also alleged that on
03.10.2021 the petitioner along with other woman came at
the house, assaulted the informant and made physical
relation with that woman in front of 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 also submitted that petitioner is ready to keep his wife with full dignity and honor but the informant is living in her paternal house. A statement has been made in para 3 of the petition that petitioner has clean antecedent. Petitioner is languishing in judicial custody since 16.06.2022.

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

In the alternative, the petitioner is ready to make payment of Rs. 10,000/- as interim maintenance to the informant before filing of the bail bonds.

The petitioner also undertakes to make monthly payment of Rs. 10,000/- in first week of every month to the informant by depositing the same in her bank account commencing from the month of March, 2023.

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, Lakhisarai in connection with Mahila P.S. Lakhisarai Case No. 44 of 2021.

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

(Sunil Kumar Panwar, J)

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