

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.37923 of 2019**

Arising Out of PS. Case No.-547 Year-2018 Thana- PATNA COMPLAINT CASE District-  
Patna

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MOHAN MURARI Son of Ganesh Pandit Resident of Village - Cold Storage  
Campus, P.O. and P.S.- Sabaur, Dist.- Bhagalpur, (Bihar), at Presently Q.  
No.E-4, Sector- 5, P.S.- Sector -7, Dist.- Sundargarh (Orisa).

... .. Petitioner/s

Versus

1. The State of Bihar AND ANR BIHAR
2. Rajni Kumari Wife of Mohan Murari, D/o Yogeshwar Prasad Resident of  
Village - Mian Toli (Near Masjid), P.O. and P.S.- Khusrupur, Dist.- Patna.

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Suraj Narain Yadav  
For the Opposite Party/s : Mr.Kumar Veerendra Narayan

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**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA  
ORAL ORDER**

4      20-09-2019                      Heard learned counsel for the parties.

The petitioner is apprehending his arrest in connection  
with Complaint Case no.547 of 2018 registered for offences  
punishable under Sections 4 of the D.P. Act..

Prosecution case as per the complaint petition is that the  
marriage of the complainant was solemnized with the petitioner  
but after some time, she was subjected to torture and harassment  
with respect to demand of Rs.05 lac. Further allegation is that  
she became pregnant but her pregnancy was aborted and lastly  
the petitioner has left her at her *Maik*.

Submission of the learned counsel for the petitioner is  
that he has already filed divorce case on the ground of her



adultery and desertion before the learned Family Court at Raurkela and an application for transfer is pending before the learned Apex Court and further allegation against the complainant is that she has illicit relationship with another person. Lastly it has been submitted that he is ready to pay the expenses till any order is passed in the divorce case.

Heard learned A.P.P. and the learned counsel for the O.P.no.2, who has submitted that no expenses has been given to the complainant and the allegation of adultery is false and concocted and further submitted that the petitioner is an Engineer and he is drawing salary more than Rs.01 lac whereas the learned counsel for the petitioner has denied the same however, admitted that he will be getting more than Rs.50,000/- as salary ..

Having heard both sides and in view of the facts and circumstances, as stated above, and the divorce case between the parties is pending as such till any order is passed, this application is disposed of with direction that till any order is passed, the petitioner shall pay Rs.20,000/- (twenty thousand) per month to the O.P.no.2 and on that condition let the petitioner, above named, in the event of arrest or surrender before the learned court below, be released on bail on



furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned SDJM, Patna City in connection with Complaint Case No.547 of 2018, subject to conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

It is made clear that failure to pay the above amount to the O.P.n no.2 continuously for three months, O.P.no.2 shall have liberty to move for cancellation of his bail bond before the learned court below .

With the aforesaid direction, this application is disposed of.

**(Vinod Kumar Sinha, J)**

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