

**IN THE HIGH COURT OF JHARKHAND AT RANCHI**  
**Cr. Revision (Filing) No. 23106 of 2025**

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Uttam Kumar ..... Petitioner (s)  
Versus  
The State of Jharkhand ..... Opp. Party  
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**CORAM: HON'BLE MR. JUSTICE RONGON MUKHOPADHYAY**

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For the Petitioner(s) : Mr. A. K. Kashyap, Sr. Advocate  
For the State : A.P.P.  
For the Informant : Mr. Jitendra S. Singh, Advocate  
Mr. Sudhansu Kumar Deo, Advocate  
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**Order No. 09/ Dated 05.05.2026**  
**I.A. No.14360 of 2025**

Heard Mr. A. K. Kashyap, learned senior counsel appearing for the petitioner and the learned A.P.P as well as Mr. Jitendra S. Singh, learned counsel appearing for the informant.

This application has been preferred by the petitioner with a prayer for exempting the petitioner to surrender in terms of Rule 159 of the Jharkhand High Court Rules.

Pursuant to the order dated 28.04.2026, the petitioner as well as opposite party No.2 are physically present.

The opposite party No.2 though had initially stated that she would be satisfied if the petitioner goes behind the bar, but at the same time, she has stated about the necessity of the maintenance amount of Rs.25,000/-, which according to her is being regularly paid by the petitioner which is enabling her to maintain herself as well as her daughter, who is a student of class-VII.

Mr. Jitendra S. Singh, learned counsel appearing for the opposite party No.2 has submitted that apart from the petitioner having filed a suit for divorce which was dismissed and which has led to the First Appeal being preferred by the petitioner, he has also challenged the order of maintenance of Rs.25,000/- and both the said cases are pending. According to the learned counsel for the opposite party No.2, the challenge which has been made by the petitioner to the aforesaid proceeding indicates that the petitioner is not willing to restore his marital life with the opposite party No.2.

The petitioner is an Assistant Teacher in a school and as per the version of the opposite party No.2, she is regularly being paid maintenance at the rate of Rs. 25,000/- per month. The said amount is also being used to

maintain the daughter of the opposite party No.2. The dispute is purely private in nature and considering the fact that the regular maintenance amount is being deposited by the petitioner, though the order granting maintenance has been challenged by the petitioner in a separate proceeding as stated by the learned counsel for the opposite party No.2, the same would be a sufficient cause to grant exemption to the petitioner to surrender.

Accordingly, this application stands allowed and the petitioner is exempted to surrender in connection with Deoghar (Mahila) P.S. Case No. 20 of 2019 / 76 of 2016.

The aforesaid I.A. stands disposed of.

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Since the opposite party No.2 has already appeared, no notice need be issued.

Call for the Trial Court Record.

Let this case be listed under the heading 'For Admission' on 22<sup>nd</sup> of July, 2026.

**(Rongon Mukhopadhyay, J.)**

Dated 05/05/2026  
BS/-