

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18698 of 2019

Arising Out of PS. Case No.-259 Year-2016 Thana- RAMNAGAR District- West Champaran

KALAMUDDIN KHAN, Son of Aurangzeb Khan, Resident of Village -
Meghwal Mathiya, P.S.- Ramnagar, District- West Champaran

... .. Petitioner

Versus

1. THE STATE OF BIHAR

2. Sitara Khatoon, Wife of Kalamuddin Khan, Resident of Village - Meghwal
Mathiya, P.S.- Ramnagar, District- West Champaran Present Address - D/O -
Fijajul Haque Khan, R/o- Bediharwa, P.S.- Sikta, West Champaran

... .. Opposite Parties

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey

For the Opposite Party/s : Ms.Madhuri Lata

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 18-06-2019 Petitioner seeks bail in anticipation of his arrest in
connection with Ramnagar P.S. Case No. 259 of 2016 registered for
the offences punishable under Sections 498A, 379 and 34 of the
Indian Penal Code.

Allegation against the petitioner is that marriage of the
informant was solemnized with the petitioner and she gave birth to
two female children and as such she was tried to kill and ousted from
the house.

Submission of learned counsel for the petitioner is that
falsity of the prosecution case will appear from the fact that FIR itself
shows that she was wandering for eight years and thereafter she has
lodged this case and no explanation has been given for that and
petitioner is ready to pay maintenance, if any.

Heard learned APP and learned counsel for the informant,



who has opposed the prayer for anticipatory bail of the petitioner.

In view of above facts and circumstances, let petitioner, in the event of arrest or surrender before the court below within a period of six weeks from the receipt of this order, be released on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the Sub-Divisional Judicial Magistrate, West Champaran, Bettiah, in connection with Ramnagar P.S. Case No. 259 of 2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. and further condition is that one of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the court concerned and further condition is that if opposite party No.2 files an application for maintenance, petitioner has to co-operate in disposal of the maintenance case and has to abide by any order of maintenance either interim or final passed in that case.

(Vinod Kumar Sinha, J)

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