

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79912 of 2018

Arising Out of PS. Case No.-1663 Year-2017 Thana- VAISALI COMPLAINT CASE
District- Vaishali

=====

Mukesh Pandit Son of Chandradeep Pandit Resident of Benipatti, P.O.-
Peerapur Mathura, P.S.- Goraul, District - Vaishali

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Soni Kumari Wife of Mukesh Pandit, Daughter of Ashok Pandit At present
Resident of Village - Sirsa Bangapar, P.O.0 Sirsa, Biran. P.S.- Lalganj,
District -Vaishali

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Manish Chandra Gandhi
For the Opposite Party/s : Mr. Sunil Kumar Pandey

=====

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 15-04-2019 This is an application for grant of anticipatory bail in

connection with Complaint Case No. 1663 of 2017, disclosing

offences under Sections 498(A), 323, 494 and 120(B) of the

Indian Penal Code.

Allegation against the petitioner is of subjecting his
wife to cruelty and also married with another lady and ousted
the opposite party no.2.

It appears that earlier the matter was sent to the
Mediation Center vide order dated 17.01.2019 on appearance of
the opposite party no.2 and the Mediator's report is available
that shows that in spite of best and sincere efforts, the dispute
between the parties could not be resolved through the process of



mediation.

Submission of learned counsel for the petitioner is that even in reconciliation, she was refused to live along with the petitioner though the petitioner was ready to keep her and the petitioner is an Army Personnel and earning Rs.30,000/- per month.

Heard learned A.P.P. as well as learned counsel for the informant, they have opposed the prayer for anticipatory bail of the petitioner on the ground that he has married with another lady and as such it is not possible for opposite party no.2 to live with the petitioner and she has filed a maintenance case, but no interim order has been made in that maintenance case and the petitioner is not paying single penny to her.

Having heard both sides, considering the above submission, let petitioner surrender within a period of twelve weeks from the date of receipt of this order and on surrender he will 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 learned C.J.M., Vaishali at Hajipur, in connection with Complaint Case No. 1663 of 2017, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure.



This is further subject to the condition that the petitioner will pay Rs.7,000/- per month to the opposite party no.2 till any interim or final order is passed by the Family Court in the maintenance case filed by the opposite party no.2, however, he will pay the maintenance amount as directed by this Court from the fourth weeks of the receipt of the order and shall continue to pay the same.

(Vinod Kumar Sinha, J)

Amjad/-

U		T	
---	--	---	--

