

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.78215 of 2018

Arising Out of PS. Case No.-242 Year-2018 Thana- MADHUBANI TOWN District-
Madhubani

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Vishwajit Kumar Son of Basant Pradhan Resident of Village-Churi Bazar
Loha,Patti,Ward No.16,P.s. Madhubani Town,Distt.-Madhubani

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ragani Devi Wife of Vishwajit Kumar Resident of Village-Churi Bazar
Loha,Patti,Ward No.16,P.s. Madhubani Town,Distt.-Madhubani at present
Village-Rajnagar Ganj P.S. Rajnagar,Distt.-Madhubani

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Gagan Deo Yadav
For the Opposite Party/s	:	Mr.Sri Ashok Kumar
for the informant	:	Mr. Manish Kumar- 13

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 07-01-2019 This application, for grant of anticipatory bail, arises

out of Madhubani Town P.S. Case No. 242 of 2018, disclosing

offences under Sections 498(A), 323, 341, 504, 379 and 34 of the

Indian Penal Code.

Allegation is that in a case by one of the sides,

petitioner and other as well as informant and her family members

have gone to the court below, where, it is alleged that petitioner on

the instigation of his father, assaulted the informant.

Submission of learned counsel for the petitioner is that

out and out false and fabricated case has been lodged by the

informant and real fact is that the informant and her family

members have misbehaved and assaulted the Aunt (fua) of the

petitioner and when the petitioner protested, they came out with

this false case. Further submission is that the petitioner is ready to

keep the informant with full honour and dignity as a wife, which



will appear from the fact that he has already filed a case under Section 9 of Hindu Marriage Act for restitution of conjugal rights.

Heard learned A.P.P. also as well as learned counsel for the informant has opposed the prayer for bail and submitted that the petitioner has assaulted the informant.

Having heard both sides, in view of the above facts, this application is allowed. Let the petitioner, above named, in the event of his arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty five Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Madhubani, in connection with Madhubani Town P.S. Case No. 242 of 2018, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

It is further subject to the condition that the petitioner shall cooperate in the maintenance case, if any filed or to be filed by the informant, otherwise, the informant will move for cancellation of bail bonds of the petitioner.

(Vinod Kumar Sinha, J)

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