

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75592 of 2019

Arising Out of PS. Case No.-3530 Year-2018 Thana- PATNA COMPLAINT CASE District-
Patna

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Rama Kant Singh @ Ramakant Patel, S/o Bhrigunath Singh, R/O Mohalla-
Kachhawa, P.S.- Jamhor, District- Aurangabad.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sujata Devi, W/O Rama Kant Singh, D/O Sri Ajay Singh, R/O Village-
Karan Bigha, P.S.- Mehindya, District- Arwal. At present R/O Mohalla-
Chitkohra, Anisabad, P.S.- Beur, District- Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Binod Murari Mishra
For the Opposite Party/s : Mr.Gauri Shankar Gupta

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 26-11-2019 Heard learned counsel for the petitioner and learned
counsel representing the complainant.

The petitioner in this case is seeking anticipatory bail
in connection with Complaint Case No.3530© of 2018
registered for the offences punishable under Sections 498(A)/34
of the Indian Penal Code.

Learned counsel for the petitioner submits that the
petitioner is the husband of the complainant and allegation
against him is that he had solemnized a second marriage.

Learned counsel for the opposite party no.2 has
opposed the prayer for anticipatory bail of the petitioner
submitting that the opposite party no. 2 is not ready to live with



the petitioner.

Considering the facts and circumstances of the case wherein learned counsel for the parties have taken a reasonable view of the matter at this stage finding that the allegation against the petitioner is that he had solemnized a second marriage and it would not be possible for the opposite party no.2 to live with him and for that reason the petitioner is ready and willing to pay a sum of Rs.4,000/- per month to the opposite party no.2 and her two children subject to final outcome of an application for grant of maintenance which may be brought by the opposite party no.2 before a competent court of law, this Court directs that in case of his arrest or surrender within a period of four weeks from today , let the petitioner be enlarged on bail on furnishing of bail bonds of Rs. 15,000/- (fifteen thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-XII, Patna in connection with Complaint Case No.3530© of 2018, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. i.e.

(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;

(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade



him from disclosing such facts to the Court or to any police officer;

(iii) a condition that the person shall not leave India without the previous permission of the Court.

and further condition that in terms of his own voluntary statement made before this Court that he is willing to pay a sum of Rs.4,000/- per month to the opposite party no.2 he will comply with the same and failure to pay the amount will be taken as breach of the terms and conditions and it will be open for the opposite party no.2 to file an appropriate application in the court below for cancellation of bail bond of the petitioner. The opposite party no.2 shall make available her bank account to the petitioner on the mobile number which learned counsel for the petitioner has furnished as 8419903415 and it will be open for the petitioner to send the said amount on 15th day of every month to the opposite party no.2 through NEFT/RTGS in the said account.

(Rajeev Ranjan Prasad, J)

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