

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.78634 of 2018

Arising Out of PS. Case No.-315 Year-2018 Thana- DUMRAO District- Buxar

Surendra Pandey S/o Saryu Pandey Resident of Village- Simari Khaira Pati,
P.S.- Simari, District- Buxar, at present R/o Kamalnagar path near Dumraon
Station, P.S. Dumaraon, District Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dr. Kamal Deo Sharma

For the Opposite Party/s : Mr. Anil Kumar

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 10-01-2019 This is an application for grant of anticipatory bail in connection with Dumraon P.S. Case No. 315 of 2018, disclosing offences under Sections 341, 323, 307, 506, 494, 498(A) and 34 of the Indian Penal Code.

Allegation against the petitioner is of subjecting his wife to harassment and cruelty and also allegation of married with another lady.

Submission of learned counsel for the petitioner is that the marriage was solemnized in the year 1984 and the petitioner is aged about 60 years and he is on the verge of retirement and he is also paying Rs.6,000/- per month as a maintenance to his wife.

Heard learned A.P.P. as well as learned counsel for the informant, they have opposed the prayer for anticipatory bail of



the petitioner stating that the petitioner has solemnized the second marriage in the year 2007.

Having heard both sides, considering the above submission, 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) with two sureties of the like amount each to the satisfaction of learned C.J.M., Buxar, in connection with Dumraon P.S. Case No. 315 of 2018, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure.

This is further subject to the condition that he will continue to pay Rs.6,000/- as maintenance till any maintenance case is filed by the informant and that is decided by the Family Court and if any case for maintenance is being filed by the informant, the petitioner shall cooperate in the said maintenance case, otherwise the informant will be free to move for cancellation of the bail bonds of the petitioner before the learned court below itself.

(Vinod Kumar Sinha, J)

Amjad/-

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