

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24335 of 2020

Arising Out of PS. Case No.-16 Year-2020 Thana- PALASI District- Araria

AJAY KUMAR KARDAR Son of Mathuranand Kardar Resident of Village-
Garari Mundmala, Police Station-Palasi, District-Araria.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Asha Devi Wife of Ajay Kumar Kardar Resident of Village-Garari
Mundmala, Police Station-Palasi, District-Araria.

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Mukesh Kumar Rana
For the Opposite Party/s :	Mr. Md. Arif
For the informant :	Mr. Anamul Haque

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

3 14-10-2020 Heard learned Counsel for the petitioner, learned

Counsel for the informant and learned Additional Public

Prosecutor for the State, through video conferencing.

The petitioner apprehends his arrest in connection
with Palasi Police Station Case No. 16 of 2020, registered for
the offences punishable under Sections 498-A/341/323/
494/504/34 of the Indian Penal Code.

The prosecution case is that the marriage of the
informant was solemnized with the petitioner about 6-7 years
back and for the last one year, the husband of the informant (the
petitioner) and his family members started demanding Rs. Two
lakhs, as dowry, and due to non-fulfillment of the said demand,
the informant was tortured, physically as well as mentally.

Learned Counsel for the petitioner submits that the



petitioner has not committed any offence in the manner alleged and he has falsely been implicated in this case along with his family members. He further submits that the allegation against the petitioner is general and omnibus in nature. However, he submits that without prejudice to his right and contention, the petitioner is ready to give a sum of Rs. 4,000/- per month to the informant as maintenance subject to the final outcome of the matrimonial/maintenance case, if any, filed by the parties.

On the other hand, learned Counsel for the informant- Opposite Party No. 2 submits that the petitioner has performed second marriage with another girl and has committed the offence, as alleged in the First Information Report. However, he submits that without prejudice to the right and contention of the informant-Opposite Party No. 2, the informant accepts the offer of the petitioner for the purpose of bail and the details of the bank account of the informant-Opposite Party No. 2 shall be given to learned Counsel for the petitioner within a period of two weeks from today.

Having heard learned Counsel for the parties and taking into consideration the materials on record and the fact that the petitioner has made an offer for payment of monthly amount of Rs. 4,000/- to the informant-Opposite Party No. 2,



which has been accepted by the informant-Opposite Party No. 2, I am inclined to grant anticipatory bail to the petitioner subject to the condition that the petitioner shall pay a sum of Rs. 4,000/- per month to the informant-Opposite Party No. 2, starting from 1st November, 2020, and the amount of Rs. 4,000/- shall be transferred in the bank account of the informant-Opposite Party No. 2 in the first week of every month.

This application is allowed.

Accordingly, let the petitioner, above named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on bail, upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-I, Araria, in connection with Palasi Police Station Case No. 16 of 2020.

It is made clear that that amount paid by the petitioner to the informant-Opposite Party No. 2 shall be subject to the final outcome of any maintenance or matrimonial case between the parties.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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