

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22669 of 2021

Arising Out of PS. Case No.-238 Year-2020 Thana- RIVILGANJ District- Saran

PRAMOD KUMAR @ PRAMOD KUMAR PANDIT @ PRAMOD KR
PANDIT S/o Kapil Parit @ Kapil Deo @ Kapil Pandit R/o village- Jigna,
P.S.- Rivilganj, District- Saran.

... .. Petitioner.

Versus

1. THE STATE OF BIHAR.
2. Rajni Kumari D/o Sri Gajendra Parit R/o village- Kakarhiya, P.S.- Khaira,
District- Saran.

... .. Opposite Parties.

Appearance :

For the Petitioner	:	Mr. Anant Kumar Bhaskar, Advocate.
For the State	:	Mr. Ram Priya Sharan Singh, A.P.P.
For the Informant/O.P. No.2	:	Mr. Dhananjay Kumar Tiwary, Advocate.

CORAM: HONOURABLE MR. JUSTICE A. M. BADAR
ORAL ORDER

5 17-12-2021 This is an application for grant of bail to the applicant/
accused in Crime No.238 of 2020 registered with Rivilganj
Police Station for the offences punishable under Sections 341/
323/498(A)/504/285/506/34 of the Indian Penal Code at the
instance of one Rajni Kumari-wife of the present applicant.

Heard both sides.

Learned counsel appearing for the applicant points out
that in this matrimonial offence, earlier the bail was granted to
the applicant by the learned trial court on the condition that the
applicant should maintain his wife but as the applicant had
reported to the learned trial court that he is not ready to maintain
his wife, the bail granted to him in the matrimonial offence was



cancelled.

Learned counsel appearing for the first informant submits that on earlier occasion, the coordinate Bench of this Court had asked the applicant to pay an amount of Rs.6000/- per month to his wife-opposite party no.2 for releasing him on bail. It is further argued that the conduct of the applicant and the ill treatment reflected from the F.I.R. disentitles him from seeking bail. With similar lines learned Prosecutor opposed the application.

The offence alleged is matrimonial offence. The informant-wife married the applicant way back in the year 2013. The couple is having three children. Allegations are to the effect that due to non-payment of dowry of Rs.2,50,000/-, the applicant and in-laws of the first informant are subjecting her to cruelty.

Considering the fact that the offence alleged is matrimonial offence, no further pretrial detention of the applicant is warranted. Therefore, the following orders:

(i). The application is allowed.

(ii). The applicant/accused in Crime No.238 of 2020 registered with Rivilganj Police Station for the offences punishable under Sections 341/323/498(A)/504/285/506/34 of



the Indian Penal Code, be released on same bail bonds as executed while granting provisional bail with the following conditions:

- (I). The applicant should not extend any threat, promise or inducement to the persons acquainted with the facts of the accusation against him so as to dissuade him from disclosing such facts to the Court or to any police officer.
- (II). The applicant should cooperate the trial in expeditious disposal of the trial against him.
- (III). The applicant should not repeat commission of similar offence in future and if he is found to be involved in commission of similar offence, the State is at liberty to apply for cancellation of bail granted to the applicant in the instant case.

The applicant to remove all office objections forthwith and the Registry to issue the certified copy of this order only after removal of office objections by the appellant/accused.

(A. M. Badar, J)

P.S./-

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