

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15940 of 2020

Arising Out of PS. Case No.-1172 Year-2018 Thana- SAMASTIPUR COMPLAINT CASE
District- Samastipur

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GANESH PANDEY S/o Ramakant Pandey R/o-Village-Mordiwa, P.S.-
Samastipur (Muffasil), District-Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rani Devi D/o Nand Kishore Chaudhary, W/o Ganesh Pandey R/o-Village-Mordiwa, P.S.-Samastipur (Muffasil), District-Samastipur, Presently residing at Village-Udaypur, P.S.-Bangra, District-Samastipur.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prakritita Sharma
For the Opposite Party/s : Mr. Asha Kumari

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

12 29-06-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Complaint Case no. 1172 of 2018 instituted for the offence under Sections 498 (A) of the Indian Penal Code.

As per allegation in the FIR, petitioner along with other family members tortured the complainant mentally and physically. It is further alleged that petitioner has performed another marriage with another lady.

It is submitted by learned counsel for the petitioner that petitioner is husband of the complainant and he is ready to



keep her as wife with full dignity and honour.

The aforesaid offer of the petitioner has not been accepted by the informant who denies to go to her matrimonial house and live with her husband. However, she prays for some maintenance for her survival as she is a housewife and she is not able to maintain herself .

In the alternative, learned counsel appearing on behalf of the petitioner, on instructions, submits that petitioner is ready to give Rupee four thousand per month from the month of July, subject to furnishing bank account number by the informant to the petitioner.

In the changed circumstance, learned counsel for the informant admits that he shall provide bank account number of the informant to the petitioner within a period of one week from today. On receipt of the bank account number of the informant, the petitioner shall deposit Rs. 4,000/- (four Thousand) in first week of every month commencing from July as maintenance in the account furnished by the informant.

Having heard learned counsel for the parties and considering the submissions made on behalf of the petitioner, this Court is inclined to enlarge him on bail. The petitioner, above named, in the event of his arrest or surrender before



learned Court below within a period of four weeks from today, shall be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/-(Ten Thousands) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. V, Samastipur in connection with Complaint Case No. 1172 of 2018, subject to the conditions as laid down under section 438(2) of the Cr.P.C.

The bail bonds of the petitioner shall be accepted by the learned court below on showing receipt of deposit of Rs. 4,000/- (for the month of July) by the petitioner in the account of the informant.

The aforesaid payment will be subject to any order passed in the maintenance case for final settlement.

(Sunil Kumar Panwar, J)

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