

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.22240 of 2022**

Arising Out of PS. Case No.-559 Year-2021 Thana- AHIYAPUR District- Muzaffarpur

Md. Kadir Son Of Late Abdul Kayum Resident Of Village- Patiyasa, P.S-  
Ahiyapur, Dist- Muzaffarpur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Ganesh Prasad Singh

For the Opposite Party/s : Mr.Umeshanand Pandit

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR**  
**ORAL ORDER**

2      29-09-2022                      Heard   learned   counsel   for   the   petitioner,  
  
informant and learned APP for the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 341, 323, 308, 494, 498(A), 313, 504/34 of the Indian Penal Code.

The accusations are of torture, making assault, terminating the pregnancy and performing second marriage.

It is submitted by learned counsel for the petitioner that the petitioner tried his best to resume the conjugal life with the informant but she did not agree to



live with the petitioner. The informant is a quarrelsome lady and never want to live with the petitioner. The petitioner has also filed a matrimonial suit for restitution of conjugal life. The petitioner is still ready to keep the informant with dignity and honour.

Learned counsel appearing on behalf of the informant has submitted that torture has been inflicted upon the informant. The petitioner has performed second marriage. Hence, in the changed circumstance, informant is not ready to live with the petitioner. The informant is residing at her parental house and she is on the verge of starvation since the petitioner denied to maintain the informant.

In the alternative, the petitioner is ready to make payment of Rs. 5,000/- as interim maintenance to the informant before filing of the bail bonds.

The petitioner also undertakes to make payment of Rs. 5,000/- per month to the informant by depositing the same in her bank account commencing



from the month of September, 2022.

The learned counsel appearing on behalf of the informant has accepted the offer of the petitioner and undertakes to provide bank account details of the informant to the petitioner as early as possible.

Considering the aforestated facts, let the petitioner, above named in the event of his arrest or surrender before the court below within a period of four weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Muzaffarpur in connection with Ahiyapur P.S. Case No. 559 of 2021, 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. 5,000/- by the petitioner in the account of the informant.



The aforesaid payments will be subject to any order passed in matrimonial or maintenance proceedings.

(Sunil Kumar Panwar, J)

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