

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12325 of 2023

Arising Out of PS. Case No.-33 Year-2018 Thana- MAHILA PS District- Khagaria

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Dharmendra Sah @ Dharmendra Kumar S/o Parmanand Sah, R/o Village-
Bhadas (South), P.S.- Khagaria (Muffasil), Distt- Khagaria.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Ganesh Bhaskar S/o not known, R/o Vill & P.O. Balha Bazar, P.S.
Mansi, District Khagaria.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Ranjeet Kumar Singh, Adv.
For the Opposite Party/s	:	Mr. Abhay Kumar, APP.
For the Informant	:	Mr. Bishweshwar Ram, Adv.

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 05-04-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Khagaria (Mahila) P.S. Case No. 33 of 2018, G.R. No. 1769 of
2018 dated 01.07.2018, lodged under Sections 341, 323,
498(A)/34 of the Indian Penal Code.

Learned counsel for the petitioner submits that vide
order dated 12.10.2022 petitioner was granted provisional bail
with direction to enter into mediation with the minor victims
through their maternal grand-father. He further submits that the
said mediation could not resulted in positive way, as a result,
bail bonds of petitioner was cancelled and petitioner was taken



into custody.

Learned counsel for the informant submits that children of petitioner are not interested to live with his father (petitioner). He further submits that petitioner himself offers to pay Rs.2,000/- per month to his children which is not acceptable to opposite party No.2 and he submits that at least Rs.4,000/- per month may be directed to pay.

At this juncture it is not proper for this Court to impose any condition from Judicial side in bail application. The opposite party is at liberty to demand maintenance from the petitioner before appropriate forum under appropriate law but since the petitioner himself offered to pay Rs.2,000/- per month to his children, the Court has no objection for the same and it is accepted by this Court that the said payment of Rs.2,000/- per month shall be made by the petitioner within 10 days of every month in the account of opposite party No.2 which he shall provide before the trial court at the time of production of his bail bond.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to



the satisfaction of learned Judicial Magistrate 1st Class,
Khagaria in connection with Khagaria (Mahila) P.S. Case No.
33 of 2018, G.R. No. 1769 of 2018, subject to the conditions as
laid down under Section 437(3) of Cr.P.C.

With this observation, the bail application stands
allowed.

(Dr. Anshuman, J.)

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