

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44852 of 2023

Arising Out of PS. Case No.-431 Year-2022 Thana- KESARIA District- East Champaran

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RANJEET PATHAK @ RANJEET KUMAR SON OF MAHENDRA
KISHORE PATHAK RESIDENT OF VILLAGE- KESARIYA PATHAK
PATTI, WARD NO. 8, PS- KESARIYA, DISTRICT- EAST CHAMPARAN

... .. Petitioner/s

Versus

1. The State of Bihar
2. KAVITA PATHAK @ SALONI PATHAK RESIDENT OF VILLAGE-
KESARIYA, PATHAK PATTI, WARD NO. 8, PS- KESARIYA, DISTT-
EAST CHAMPARAN

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pramod Kumar Pandey, Adv.
For the Opposite Party/s : Mr.Parmanand Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 19-07-2023 Heard learned counsel for the petitioner and

learned Additional Public Prosecutor for the State.

2. The petitioner apprehends his arrest in connection
with Kesariya P.S. Case No.431/2022, registered for the
offence punishable u/s 341/323/498A/504/34 of the IPC and
section 3/4 of the D.P. Act.

3. Earlier the prayer for anticipatory bail of the
petitioner was heard and allowed by this Court vide order
dated 02.02.2023 passed in Cr. Misc. No.71845/22 with the
agreement of learned counsel for the petitioner that petitioner
will pay Rs.5000/- per month to the informant.



4. It is submitted by learned counsel for the petitioner that the petitioner appearing in Cr. Misc. No.71845/22 in his petition denied his marriage to the petitioner since informant is a fake lady not known to the petitioner, hence the condition to pay Rs.5000/- per month to O.P. No.2/informant, who is not the wife of the petitioner is not applicable. The petitioner moved before the Hon'ble Apex Court and the Hon'ble Apex Court observed to approach the Hon'ble High Court for clarification that the monthly payment to be made was not under the instruction of the petitioner. As such, learned counsel for the petitioner prays to clarify that the same was not under the instruction of the petitioner.

5. Having heard the learned counsel for the petitioner and on perusal of order dated 02.02.2023 passed in Cr. Misc. No.71845/22, it is clear that learned counsel for the petitioner appeared in this case through his counsel and he was agreed to pay Rs.5000/- per month to the O.P. No.2/informant for grant of bail while another counsel for the petitioner is appearing in the present case. Anticipatory bail was granted to the petitioner after agreeing to the condition of monthly payment of Rs.5000/-.

6. Under the aforesaid circumstances, I am not inclined to make any interference in the order dated 02.02.2023 passed in Cr. Misc. No.71845/22. The terms and



conditions for grant of anticipatory shall remain same.

7. Accordingly, this application is disposed of.

(Anjani Kumar Sharan, J)

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