

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65511 of 2022**

Arising Out of PS. Case No.-464 Year-2022 Thana- MAHUA District- Vaishali

PANKAJ KUMAR @ PANKAJ PATHAK SON OF SHRI BALRAM
PATHAK @ BALIRAM PATHAK @ VALIRAM PATHAK R/O VILLAGE-
KHIRACHAK KUSHAR, P.O.- MAHUA, DISTRICT- VAISHALI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Surendra Kishore Thakur, Advocate
Ms. Y. Madhavi, Advocate
For the Opposite Party/s : Mr. Binod Kumar, APP

**CORAM: HONOURABLE THE ACTING CHIEF JUSTICE
ORAL ORDER**

2 04-03-2023 The matter has been taken up for online hearing through
video conferencing.

Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application for regular bail arises out of Mahua P.S.
Case No.464 of 2022 disclosing offences punishable under Sections
341,323, 498-A and 313 of the Indian Penal Code.

The petitioner is the husband of the informant. He is in
custody since 18.07.2022. There is allegation in the FIR that the
petitioner used to torture the informant after consuming alcohol and
that he was having some illicit relationship with another woman.
Further, when the informant was pregnant, she was forced to undergo
miscarriage by the petitioner, in a private hospital.

Learned counsel appearing on behalf of the petitioner has



submitted that matrimonial discord between the petitioner and the informant is the apparent reason behind lodging of the present criminal case. She has drawn the Court's attention to an FIR registered on 17.12.2020 by the sister of the petitioner wherein she had made allegation against the brother of the present informant of sexual exploitation and subsequent blackmailing.

Learned counsel appearing on behalf of the informant has opposed the prayer for bail and submitted that considering the gravity of the offence punishable under Section 313 of the IPC, the petitioner does not deserve privilege of regular bail.

Be that as it may, considering the nature of allegation and the submission made on behalf of the petitioner as noted above, in the Court's opinion, a case is made out for grant of regular bail. This application is, accordingly, allowed.

Let the petitioner above-named be released on 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, Vaishali at Hajipur in Mahua P.S. Case No. 464 of 2022.

(Chakradhari Sharan Singh, ACJ)

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