

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 51808 of 2015

Arising out of P. S. Case No. - 141 Year - 2013 Thana - COMPLAINT CASE District - BANKA

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Ganesh Yadav, Son of Late Bhumeshwar Yadav, Resident of Village -
Malik Bathan @ Mal Bathan, P.S. - Fullidumar, District - Banka

.... Petitioner/s

Versus

1. The State of Bihar
2. Renu Devi, Wife of Ganesh Yadav, D/o Ghanshyam Yadav, Resident
of Village - Pokharia, P.S. + District - Banka

.... Opposite Party/s

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Appearance :

For the Petitioner/s :

For the Opposite Party/s :

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CORAM: HONOURABLE MR. JUSTICE GOPAL PRASAD
ORAL ORDER

2 10-11-2015 Heard learned counsel for the petitioner and learned
counsel for the State.

This is a petition for grant of regular bail in a case under
Sections 323, 504 and 498(A) of the Indian Penal Code.

The petitioner was granted provisional anticipatory bail
vide order dated 24.06.2014 in Cr. Misc. No. 18061 of 2014 on
condition that he will deposit Rs.750/- firstly within 15 days from
the date of receipt of this order and subsequently by 15th of every
month which the wife of the petitioner will be at liberty to
withdraw without prejudice the right of the parties. The Court
below shall inform the wife of the petitioner about the present
order. However, if the complainant/informant has a Bank
Account or subsequently opens a Bank Account, the money shall

be deposited in the Account and a receipt to this effect shall be filed by 15th of every month in the court below and, in case, he fails to do so his provisional anticipatory bail would be automatically cancelled.

However, it is submitted that the bail bond of the petitioner was cancelled in view of the fact that the petitioner could not deposit the aforesaid amount from March, 2015.

Hence, having regard to the facts and circumstances of the case, the petitioner above named is ordered to be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Banka in connection with Complaint Case No. 141 of 2013, subject to the condition that the petitioner will deposit the amount from March, 2015 and shall go on paying the amount to the complainant/informant. The complainant/informant is directed to open an account in her name so that the petitioner may deposit the amount in the account. However, until the account is not opened the amount will be deposited in the Court.

(Gopal Prasad, J)

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