

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53068 of 2015

Arising Out of PS.Case No. -551 Year- 2011 Thana -WEST CHAMPARAN COMPLAINT District-
WESTCHAMPARAN(BETTIAH)

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1. Bharat Sah son of Late Ganesh Sah, resident of village- Englishia, P.S-
Chautarwa, District- West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Sunita Devi W/o Bharat Sah D/o- Sukai Sah Vill.- Dumaria P.S.- Bagaha,
Distt- West Champaran

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anand Kishore Choudhary

For the Opposite Party/s : Mr. Rajendra Singh Shastrijee(App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

2 24-11-2015 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Petitioner happens to be husband of the complainant and it appears from persusal of Annexure-2 that earlier he was granted privilege of anticipatory bail provisionally for the period of one year vide order dated 29-04-2013 passed in Cr. Misc. No. 13622 of 2013 with direction to him to take the complainant to her matrimonial home and to keep her as wife with full honour and dignity. Furthermore, it would appear from perusal of the impugned order that petitioner appeared before the trial court on 28-05-2013 and was granted provisional bail but subsequently, on 23-08-2013, a petition was filed on behalf of the complainant

praying therein to cancel the bail of the petitioner as petitioner did not obey the order of this court. Furthermore, it would appear that the aforesaid petition was never pressed and again, on 23-07-2015, a petition was filed by the complainant to cancel the provisional bail of the petitioner and after that, provisional bail of the petitioner was cancelled and the petitioner was taken into custody on 23-07-2015 and since than, he is languishing in jail custody.

Considering the above-said facts as well as period of detention of the petitioner in jail custody, let the petitioner named above, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with Trial No. 2207 of 2015 arising out of Complaint Case No. 551 of 2011 to the satisfaction of learned Sub Divisional Judicial Magistrate, Bagaha, West Champaran.

(Hemant Kumar Srivastava, J)

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