

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21328 of 2015

Arising Out of PS.Case No. -26 Year- 2015 Thana -JALALPUR District- SARAN

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Sudhir Kumar Singh son of Ramdarash Singh, resident of village Baraki Sabari Math, P.S. Jalalpur, District Saran.

.... Petitioner/s

Versus

1. The State of Bihar.

2.Sunita Devi, w/o Sudhir Kumar Singh, resident of village Baraki Sabari Math, P.s. Jalalpur, District Saran.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Chandra Gandhi, Adv

For the Opposite Party/s : Mr. Rajiv Nayan(App)

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

2 20-08-2015 Heard learned counsel for the parties.

Having regard to the nature of allegation against the petitioner for the offences punishable under Sections-341, 323, 498A, 494, 406, 504/34 of the Indian Penal Code, this Court keeping in view that the petitioner also faces direct allegation of entering into second marriage in the lifetime of wife-Opposite Party No. 2, who is the first wife, would not find the petitioner entitled for the privilege of anticipatory bail.

When such an observation has been made learned counsel for the petitioner comes out to say that he

(petitioner) would be prepared to give financial support to the wife-Opposite Party No. 2 till the end of the trial.

In that view of the matter if the petitioner namely, **Sudhir Kumar Singh**, surrenders within a period of four weeks from today and gives a written undertaking for payment of Rs. 7000/- per month for maintenance of his wife opposite party no.2, commencing from the month of August 2015 till the end of trial, he shall 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 **C.J.M. Saran at Chapra** in connection **Jalalpur P.S. Case No. 26 of 2015**, subject to the conditions laid down under Section- 438 (2) Cr. P.C and also subject to the following conditions:-

(i) Such amount of Rs. 7000/- has to be deposited by the petitioner in the bank account of the Opposite Party No. 2 to be furnished by her on month to month basis commencing from August 2015 and till the end of trial by every fifth (5th) day of the next month and failure to do so by the petitioner even for a single month would

automatically entail the consequences of cancellation of his bail.

(ii) That both the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how they are related with the petitioner. The bailors will also undertake to inform the Court if there is any change in the address of the petitioner.

(iii) That the bailor shall also state on affidavit that he will inform the Court concerned if the petitioner is implicated in any other case of similar nature after his release in the present case and thereafter the Court below will be at liberty to initiate the proceeding for cancellation of bail on the ground of misuse.

(iv) That the petitioner will be well represented on each and every date of trial and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled on this ground alone.

(Mihir Kumar Jha, J)

Ranjan/-

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