

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4349 of 2015

Arising Out of PS.Case No. -540 Year- 2014 Thana -ROHTAS COMPLAINT CASE District-
SASARAM (ROHTAS)

Navneet Kumar S/o Bajarangbali Singh Resident of Mohalla Company Sarai, Near Stand Ford School, Prabhakar Road, P.S. Sasaram (Model), District Rohtas.

.... Petitioner/s

Versus

1. The State of Bihar
2. Rita Singh, W/o Navneet Kumar and D/o Ashok Kumar Singh, resident of Village/Mohalla Company Sarai, Near Stand Ford School, At present resident of Village Nonhar, P.S. Surya Pura, Dist. Rohtas.

.... Opposite Parties

Appearance :

For the Petitioner/s : Mr. S.D. Yadav, Adv.
For the Complainant : Mr. K.N. Chaubey, Sr. Adv.
Mr. Jitendra Pd. Singh, Adv.
For the State : Mr. Rajesh Kumar, APP

CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

9 02-07-2015 Heard learned counsel for the parties.

Having regard to the nature of allegation against the petitioner for offence under Section 406, 420, 308, 506, 498(A) of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act and the very fact that effort of reconciliation made by this Court has failed as clearly recorded in the order dated 30.4.2015, this Court was not inclined to grant privilege of anticipatory bail to the petitioner keeping in view that not only the life of the victim lady, the wife of the petitioner, has been put to jeopardy by the petitioner but even the fate and future of the minor daughter of the

petitioner from the marriage with the aforesaid wife has been put at stake.

At this stage, Mr. S.D. Yadav, learned counsel for the petitioner submits that for the time being the petitioner in order to show his bonafide that he actually intends to safeguard the interest of his wife and child, is ready to pay a sum of Rs. 15,000/- per month till the end of trial.

Keeping in view the aforesaid offer of the petitioner as also the fate and future of his wife and the dependent minor child, this Court for the time being would be inclined to grant privilege anticipatory bail to the petitioner on the condition that if the petitioner, namely, Navneet Kumar surrenders before the Court below within a period of four weeks from today submits a written undertaking to pay a sum of Rs. 15000/- per month from the month of July 2015 and 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 Sub Divisional Judicial Magistrate, Bikramganj, Rohtas in connection with Bikramganj (Rohtas) Complaint Case No. 540 of 2014, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also subject to following conditions:-



(i) The petitioner shall keep on making payment of Rs. 15,000/- per month commencing from the month of July, 2015 by every 5th of the next month in the bank account details whereof will be furnished by the wife of the petitioner to the court below. Such payment shall continue from the month of July, 2015 till the end of the trial and failure of payment of even a single installment within the prescribed period as indicated above shall automatically entail consequence of cancellation of the bail of the petitioner.

(ii) That the affidavit shall clearly state that the petitioner is not an accused in any other case and if he is, he shall not be released on bail.

(iii) That both the bailors will be a close relative of the petitioner, who will undertake 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.

(iv) That the bailors shall also state on affidavit that they 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.

(v) That the petitioner will be well represented on each and every date in course 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)

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