

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 46168 of 2012

=====

Binod Upadhyay, Son of Sumant Upadhyay, Resident of
Village-Ossaon, P.S.-Kachhawa, District-Rohtas.

.... Petitioner/s

Versus

The State of Bihar & Anr.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Brij Bihari Tiwary, Adv.

For the Opposite Party/s: Mr. Pradeep Nr.Kumar (APP)

=====

CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

06. 22.01.2015

Heard learned counsel for the Petitioner and the
State.

The Petitioner is apprehending his arrest in a case
registered under Section 498A of the Indian Penal Code
and Sections 3/4 of D.P. Act.

In the nature of allegations, notices had been
issued to Opposite Party No. 2 but none appears on her
behalf.

Considering the nature of allegations against the
Petitioner, let him be released on anticipatory bail in the
event of arrest or surrender before the learned Court below
within a period of four weeks from the date of receipt of the
order on furnishing bail bond of Rs. 5,000/- (Five
Thousand) with two sureties of the like amount each or any
other surety as fixed by the Court to the satisfaction of
Sub-Divisional Judicial Magistrate, Bikramganj, Rohtas at
Sasaram in connection with Complaint Case No. 189 of
2012 subject to the conditions as laid down under Section

438(2) of the Code of Criminal Procedure as also subject to the following conditions:- (i) That one of the bailors will be a close relative of the Petitioner who will give an affidavit giving genealogy as to how he is related with the Petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the Petitioner. (ii) That the Petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.

The Petitioner is directed to deposit Rs. 750/- (Seven Hundred Fifty Only) per month in the Court below firstly within 15 days from the date of receipt of this order and subsequently by 15th every month which the wife of the Petitioner will be at liberty to withdraw without prejudice the right of the parties. 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 every month in the court below and in case he fails to do so **his provisional anticipatory bail would be automatically cancelled.**

Vikash/-

U		T	
---	--	---	--

(Anjana Prakash, J.)