

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15119 of 2013

Arising Out of PS.Case No. -143 Year- 2012 Thana -DESARI District- VAISHALI(HAJIPUR)

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Sanjay Rai, son of Sukal Rai, r/o village- Bhikhanpura, P.S.-Desari,
District- Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar &
2. Babita Devi, w/o Sanjay Rai, at present r/o Paura Vikram, P.S.-Sarai,
District- Vaishali

.... Opposite Party/s

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

5/ 23-01-2015

Heard learned counsel for the Petitioner and the
State.

The Petitioner apprehends his arrest in a case
instituted for the offence under Section(s) 498-A, 494, 323, 341,
379 Indian Penal Code.

In the nature of dispute between the parties, notice
had been issued to the Opposite Party No.2 but despite service of
notice none appears on her behalf.

Considering the merits of the case, it is ordered that
in the event of surrender/arrest of the Petitioner, named above,
within four weeks from the date of receipt/production of a copy
of this order in connection with Desari P.S. Case No.143 of 2012,
he shall be released on anticipatory bail on furnishing bail bond
of ₹5,000/- (five thousand) with two sureties of the like amount
each or any other surety to be fixed by the court below to the
satisfaction of the Chief Judicial Magistrate, Vaishali at Hajipur,

subject to the conditions as laid down under section 438(2) Cr. P. C. and (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 bailors will undertake to furnish information to the court about 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 volunteers to deposit ₹750/-(seven hundred fifty) per month in the court below firstly within fifteen days from today 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 bail shall stand cancelled.

JA/-

(Anjana Prakash, J)

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