

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22400 of 2015

Arising Out of PS.Case No. -622 Year- 2014 Thana -BHABHU(KAIMUR) COMPLAIN C District-
BHABHUA (KAIMUR)

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Manoj Kumar Pandey Son of Late Vishmbhar Dayal Pandey Resident of
Tiyara, P.S. Shahbaganj Chakiya, District - Kaimur Chandauli (U.P.)

.... Petitioner/s

Versus

1. The State of Bihar

2. Mamta Pandey W/o Manoj Kumar Pandey Resident of D/o Dina Nath
Pandey, R/o Village - Kurari, P.S. Durgavati, District - Kaimur (Bhabhua)

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Praveen Kumar, Advocate.

For the Opposite Party/s : Mr. Subhash Chandra Mishra (App)

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

3 20-08-2015

Heard learned counsel for the parties.

Having regard to the nature of allegation against the petitioner for offence under Section 498A of the Indian Penal Code and the petitioner being the husband had already filed a divorce case on 15.04.2015 whereas the present complaint case against him has been filed 02.06.2014, this Court would find the petitioner having no criminal antecedent entitled for grant of privilege of anticipatory bail.

That being so, if the petitioner, namely, Manoj Kumar Pandey surrenders before the court below within a period of four weeks from today, he shall be released on bail on furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bhabhua in connection with Complaint Case No. 622 of 2014 Trial No. 4192 of 2014; subject to the following conditions:



- (i) That both the bailors will be close family relatives 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.
- (ii) That the affidavit shall clearly state that the petitioner is not accused in any other case and if he is, he shall not be released on bail.
- (iii) 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 his bail on the ground of misuse.
- (iv) 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)

Sujit/-

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