

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27584 of 2015

Arising Out of PS.Case No. -790 Year- 2014 Thana -BHABHU(KAIMUR) COMPLAIN C District-
BHABHUA (KAIMUR)

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Abhishek Upadhyay son of Pars Upadhyay, resident of village Kamhariya,
P.S. Kandawa, District Chandauli (U.P.),

.... Petitioner/s

Versus

1. The State of Bihar
2. Puja Devi Wife of Abhishek Upadhaya, D/o Vijay Shankar Tiwary
resident of village Kamhariya, P.S. Kandawa, District Chandauli (U.P.) at
presently reside at village Nonar, P.S. Ramgarh, District Kaimur at Bhabua.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan, Adv.
For the Opposite Party/s : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 27-07-2015 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner apprehends his arrest for the
offences alleged under Section 498 (A) of the Indian Penal Code
registered in connection with Complaint Case No. 790 (C) of
2014.

3. It is submitted that the petitioner has been
falsely implicated as the petitioner himself has filed
Matrimonial Case No. 209 of 2014 before the Family Court,
Chandauli under Section 9 of the Hindu Marriage Act. In any
event he offers to deposit an amount of Rs. 1,000/- per month
regularly for the benefit of opposite party no. 2.

4. Learned counsel for the complainant appears

and has been heard.

5. Having regard to the entirety of the facts and circumstances of the case, in the event of the petitioner's arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Kaimur at Bhabua, in connection with Complaint Case No. 790 (C) of 2014, subject to the conditions as laid down under Section 438 (2) Cr.P.C. with additional condition that the petitioner will deposit a sum of Rs. 1,000/- per month regularly before the learned Court below which shall be available for withdrawal by opposite party no. 2 and upon failure to deposit any two consecutive instalments, his bail bond shall stand automatically cancelled.

(Vikash Jain, J)

Md. Ibrarul/-

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