

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18678 of 2015

Arising Out of PS.Case No. -730 Year- 2014 Thana -VAISALI COMPLAINT CASE District-
VAISHALI(HAJIPUR)

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Ram Bachan Kumar, son of late Saryug Ram, resident of Village- Tini
Lodipur, P.S.- Chandi, District- Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar
2. Kanchan Kumari, daughter of Kishun Mahto, residents of Village- Shiv
Kumarpur Diar, P.S.- Raghobpur, District- Vaishali.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar, Adv
For the O.P. No. 1 : Mrs. Rita Verma, APP
For the O.P. No. 2 : Mr. Dhirrendra Kumar, Adv

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

3 01-09-2015 Heard learned counsel for the parties.

Having regard to the nature of allegation against the petitioner for the offence punishable under Section-498A of the Indian Penal Code and the fact that the petitioner not only denies the marriage but has also filed his case earlier alleging the marriage of the complainant of this case with the petitioner by use of force and that the present complaint case has been filed by the complainant only after acquiring knowledge of the earlier case filed by the petitioner and that the petitioner has got no criminal

antecedent, this Court would be inclined to grant the privilege of anticipatory to the petitioner.

That being so, if the petitioner namely, **Ram Bachan Kumar**, surrenders within a period of four weeks from today, he would 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, Vaishali at Hajipur** in connection with **Complaint Case No. 730 of 2014**, subject to the conditions laid down under Section-438 (2) Cr. P.C and also subject to the following conditions:-

(i) That both the bailors will be close relative of the petitioner who will give 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 bailor 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.

(iii) That the petitioner will give an undertaking that he will receive the police papers on the given date and be present on the date fixed for charge and if he fails to do so on two given dates and delays the trial in any manner, his bail will be liable to be cancelled for reasons of misuse.

(iv) That the petitioner will be well represented on each and every date 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.

Ranjan/-

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(Mihir Kumar Jha, J)