

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6077 of 2015

Arising Out of PS.Case No. -467 Year- 2011 Thana -COMPLAINT CASE District- SUPAUL

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1. Bhartej Kumar Jha @ Bhartej Jha Son of Late Dayanath Jha Resident of village - Karnpur, P.S. Supaul and District - Supaul

.... Petitioner/s

Versus

1. The State of Bihar
2. Lalita Devi Wife of Bhartej Kumar Jha @ Bhartej Jha, D/o Late Jai Kumar Mishra resident of Bhim Nagar House No. T.G. 19 Koshi Colony, Bhim Nagar, P.S. Birpur, District - Supaul

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amarnath Jha
For the Opposite Party/s : Mr. Bharat Bhushan(App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

2 13-02-2015 Heard learned counsel for the petitioner as well as learned Additional Public Prosecutor for the State.

Petitioner apprehends his arrest in connection with Complaint Case No. 467C of 2011 registered for the offences punishable under Sections 323, 341, 504, 498A of the Indian Penal Code.

Admittedly, petitioner is husband of the complainant and prior to filing of the present complaint case, the complainant had filed complaint cases for the similar offences twice and the petitioner and other accused were acquitted by the trial court in both the above stated complaint cases.

Learned counsel appearing for the complainant submits that earlier the petitioner and his family members were acquitted on the ground of compromise but the judgment passed in complaint Case No. 135 of 2009, Tr. No. 773 of 2010, it appears that the aforesaid complaint case was decided on merit.

Considering the aforesaid facts and circumstances as well as submissions of the parties, this anticipatory bail petition is allowed and it is ordered that petitioner, in the event of his arrest/surrender within four weeks from the date of receipt of this order to the court concerned, shall be released on bail on furnishing bail bonds of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the Sub-Divisional Judicial Magistrate, Birpur, Supaul in Complaint Case No. 467C of 2011, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Hemant Kumar Srivastava, J)

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