

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7285 of 2015

Arising Out of PS.Case No. -321 Year- 2014 Thana -GORAUL District- VAISHALI(HAJIPUR)

1. Rajesh Kumar son of Sri Ramprit Rai

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Md.Imteyaz Ahmad

For the Opposite Party/s : Mr. Surendra Pd.Singh(App)

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 23-02-2015 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Petitioner being husband of the informant is in jail custody since 27.12.2014 in a case registered for the offences punishable under Sections 498A of the Indian Penal Code and 3/4 of Dowry Prohibition Act.

The contention on behalf of the petitioner is that much prior to institution of the present case, the petitioner filed Divorce Suit No. 258 of 2014 against the informant of this case on the ground of adultery and cruelty and as a matter of fact, after filing of the aforesaid divorce suit, the informant has brought this case.

From perusal of the impugned order, it appears that Rs. 1,20,000/- was deposited either in the account of the petitioner

or his family members by the informant's father.

Learned counsel for the petitioner submits that whatever the amount was deposited either by the informant or by her father in the account of the petitioner or his family members, petitioner is ready to return the said amount to the informant's father.

Considering the aforesaid facts and circumstances as well as submissions of the parties, let the petitioner 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 Chief Judicial Magistrate, Vaishali at Hajipur in connection with Goraul P.S. Case No. 321 of 2014, subject to condition that the petitioner shall return Rs. 1,20,000/- as well as other amount, which was found to be deposited by father of the informant in the account of the petitioner or his family members, to the informant's father within a period of one month from the date of his release, failing which the learned court below shall be at liberty to cancel the bail bonds of the petitioner.

(Hemant Kumar Srivastava, J)

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