

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51507 of 2014

Arising Out of PS.Case No. -2426 Year- 2009 Thana -SARAN COMPLAINT CASE District-
SARAN

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1. Manoj Kumar Prasad son of Late Hari Lal Mahto resident of village -
Hasanpura, Naya Tola, P.O. Marhowrah, P.S. Marhowrah, District – Saran.

.... Petitioner/s

Versus

1. The State of Bihar
2. Sunita Devi, wife of Manoj Kumar, D/o- Mishri Lal Prasad, R/o- village
Hasanpur Naya Tola, P.O. + P.S.- Madhaura, District- Saran.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Aditya Prakash Sahay

For the Opposite Party/s : Mr. Shailendra Kumar 1 (App)

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL
ORAL ORDER

3 24-06-2015 Heard the Counsel for the petitioner and the APP for the

State.

The husband is the petitioner facing prosecution under
Section 498A IPC on the basis of complaint lodged on 13.7.2009.

It has been submitted on behalf of the petitioner that
earlier to this an F.I.R. was lodged by the present complainant in
which the Police, on conclusion of investigation, submitted final
form. Immediately thereafter, again the present case has been
lodged. Referring to the order passed in Cr. Misc. No. 38496 of
2014 (Annexure-5), it has been stated that the maintenance
amount fixed thereunder is being regularly paid to the
complainant.

Under the facts and circumstances of the case, in the

event of arrest or surrender in the Court below within four weeks, the petitioner abovenamed is directed to be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Saran at Chapra in Complaint Case No. 2426 of 2009 subject to the condition as laid down under Section 438(2) of the Cr.P.C. with the further following conditions:

(i) One of the bailers shall be the own/close family members of the petitioner.

(ii) In case of framing of charge, the petitioner shall appear in person on each and every date fixed in the Court below. In case of default in doing so on two consecutive occasions without any cogent/satisfactory reason, the Trial Court shall have liberty to cancel the bail bond of the petitioner and secure his arrest in accordance with law.

Pankaj/-

(Kishore Kumar Mandal, J)

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