

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14177 of 2015

Arising Out of PS.Case No. -217 Year- 2014 Thana -BAHADURPUR District- DARBHANGA

=====

1. Lalit Roy S/o Ram Deo Roy Resident of Village Virsaiyr, P.S. Pandaul,
District Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gagan Deo Yadav

For the Opposite Party/s : Mr. Nityanand Tiwary(App)

=====

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 06-04-2015 Heard learned counsel for the petitioner as well as

learned Additional Public Prosecutor for the State.

The petitioner apprehends his arrest in connection
with Bahadurpur P.S. Case No. 217 of 2014 registered under
Sections-498(A)/34 of the Indian Penal Code.

The petitioner happens to be husband of the
informant who initially, filed complaint case bearing Complaint
Case No. 206 of 2014 against the petitioner on 18-02-2014 which
was converted into Bahadurpur P.S. Case No. 217 of 2014.

The marriage of the petitioner was solemnized in the
year, 2006 and admittedly, the present case was lodged in the year,
2014 but much prior to institution of the present case, the
petitioner filed Matrimonial Case No. 357 of 2013 for restitution

of his conjugal right and in the aforesaid case, the petitioner specifically, pleaded that the informant left the house of the petitioner on 07-04-2013 along with her ornament and two children. In the present case, the complainant states that she was ousted from her matrimonial home on 05-01-2014. Moreover, the impugned order of learned Ist Additional Sessions Judge reveals that the informant refused to lead her conjugal life with the petitioner.

Considering the aforesaid facts and circumstances as well as submission of the parties, let the petitioner named above, in the event of his arrest or surrender within four weeks from the date of receipt/production of copy of the order in the court below, be released on bail on furnishing bail bonds of Rs 10,000/- (ten thousand) with two sureties of the like amount each in connection with Bahadurpur P.S. Case No. 217 of 2014 to the satisfaction of learned J.M. Ist Class, Darbhanga subject to the conditions as laid down u/S 438(2) of the Cr. P.C.

A.K.V./-

(Hemant Kumar Srivastava, J)

U		T	
---	--	---	--