

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25045 of 2014

Arising Out of PS.Case No. -10 Year- 2014 Thana -MAHILA P.S. District- BHABHUA (KAIMUR)

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1. Ram Ashish Mallah S/o Mohan Mallah Resident of Village Knaniya, P.S. Chand, District Kaimur at Bhabhua, Bihar.

.... Petitioner/s

Versus

1. The State of Bihar AND Anr

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Praveen Kumar, Advocate

For the Opposite Party/s : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

5 29-07-2015 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 341, 323, 498A, 506, 34 of the Indian Penal Code and Sections 3 and 4 of the D.P. Act registered in connection with Mahila P.S. Bhabhua Case No. 10 of 2014.

3. It is submitted that the petitioner has been falsely implicated and reiterates his commitment to keep the OP No. 2 with due dignity and honour. As a matter of fact a petition under Section 9 of the Hindu Marriage Act in Matrimonial Case No. 61 of 2014 is pending before the learned Principal Judge, Family Court, Kaimur at Bhabua.

4. Despite issuance of notice none appears on behalf of the OP No. 2 when the matter is called today.

5. Having regard to the entirety of the facts and circumstances of the case, in the event of the petitioner's arrest or

surrender before the court below within six weeks from the date of communication of this order, let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Kaimur at Bhabua, in connection with Mahila P.S. Bhabhua Case No. 10 of 2014 subject to the conditions as laid down under Section 438 (2) Cr.P.C., and also subject to the following further conditions:

- (i) The petitioner shall cooperate with the investigation and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.
- (ii) The petitioner shall remain physically present as and when required during trial and in the event of failure on two consecutive dates, his bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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