

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42249 of 2014

Arising Out of PS.Case No. -164 Year- 2014 Thana -UCHAKAGAON District- GOPALGANJ

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1. Tuntun Sah S/o - Bhulan Sah R/o - Vill - Siswaniya, P.S. - Uchkagaown,
Dist - Gopalganj.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Reeta Devi D/o Late Narayan Sah R/o - Village - Bashdillah Bazar, P.S.
& District - Gopalganj.

.... Opposite Party/s

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Appearance :

For the Opposite Party/s : Mr. Dr.Rabindra Kumar (App)

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL
ORAL ORDER

3 30-07-2015

Heard.

Petitioner is facing accusation in connection with Uchkagaon P.S. Case No. 164 of 2014 registered under sections 498A, 341, 342, 323/307 and 506 of Indian Penal Code and Sections 3/4 of the D.P. Act.

Allegation is that within few days of marriage, she was tortured and thereafter ousted from the matrimonial home.

The defence of the petitioner is that this is the second allegation against the petitioner under Section 498A IPC. The petitioner, in order to get the privilege of anticipatory bail, is willing to pay Rs. 800/- as interim maintenance to the informant subject to an order passed by the Competent Court on an application for maintenance. Both the parties have stated that the mediation has already failed.



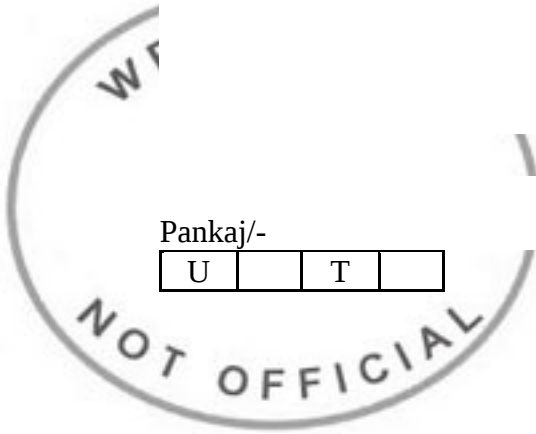
Considering the facts and circumstances of the case, in the event of arrest or surrender in the Court below within four weeks, the petitioner abovenamed is directed to be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Sri A.K. Mall, Judicial Magistrate, 1st Class, Gopalganj in Uchkagaown P.S. Case No. 164 of 2014 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.

(iii) Along with the bail bond, the petitioner shall produce receipt/document showing payment/deposit of a sum of Rs. 800/- as interim maintenance for the month of July, 2015 as a condition of bail. He shall continue to pay the same on each month until any order is passed by the appropriate Court. In case of default in

doing so, the informant shall have liberty to seek cancellation of
bail in the Court below itself.



(Kishore Kumar Mandal, J)