

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48479 of 2014

Arising Out of PS.Case No. -68 Year- 2014 Thana -MAHILA PS District- DARBHANGA

=====

Kamlesh Sahni son of Ram Bilas Sahni, resident of village Depatol,
Benipur, Police Station Bahera, District Darbhanga.

.... Petitioner/s

Versus

1.State of Bihar.

2.Phulpari Devi daughter of Sone Sahni, resident of village Trimuhani, Tile-
Maharaji, Police Station Baheri, District Darbhanga.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Girish Chandra Jha, Adv

For the Opposite Party/s : Mr. P.N.Pandit(App)

=====

CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

5 16-07-2015 Heard learned counsel for the parties.

Having regard to the nature of allegation against the petitioner for the offences punishable under Sections-498A, 147, 148, 149, 323, 341, 379 and 406 of the Indian Penal Code and Section-3/4 of the Dowry Prohibition Act, and that he has a defence that not only the complainant-Opposite Party No. 2, has already again married another person but she has also not been responding to the notices issued by this Court, this Court keeping in view that under changed circumstances when the married life of both the petitioner and the

complainant-Opposite Party No. 2, is no longer subsisting on account of both of them getting married again, the petitioner would be definitely entitled for privilege of anticipatory bail.

That being so, if the petitioner namely, **Kamlesh Sahni** surrenders within a period of four weeks from today, he would be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of **Chief Judicial Magistrate, Darbhanga** in connection with **Mahila P.S. Case No. 68 of 2014**, subject to the conditions laid down under Section- 438 (2) Cr. P.C and also subject to the following conditions:-

(i) That both the bailors will be close relative of the petitioner who will give an affidavit giving genealogy as to how they are related with the petitioner. The bailors will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the bailor shall also state on affidavit that they will inform the Court concerned

if the petitioner is implicated in any other case of similar nature after his release in the present case and thereafter the Court below will be at liberty to initiate the proceeding for cancellation of bail on the ground of misuse.

(iii) That the petitioner will give an undertaking that he will receive the police papers on the given date and be present on the date fixed for charge and if he fails to do so on two given dates and delays the trial in any manner, his bail will be liable to be cancelled for reasons of misuse.

(iv) That the petitioner will be well represented on each and every date of trial and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled on this ground alone.

(Mihir Kumar Jha, J)

Ranjan/-

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