

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24692 of 2016

Arising Out of PS.Case No. -1399 Year- 2015 Thana -SITAMARHI COMPLAINT CASE District-
SITAMARHI

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Santosh Paswan, Son of Sri Suresh Paswan, resident of village- Bhokrahan,
Police Station- Majorganj, District- Sitamarhi

.... Petitioner/s

Versus

1. The State of Bihar
2. Seema Devi, Wife of Santosh Paswan, daughter of Babu Lal Paswan,
resident of village- Mokrahan, Police Station- Majorganj, District-
Sitamarhi, at present resident of village- Madhopur, Police Station-
Majorganj, District- Sitamarhi

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajendra Prasad Sah, Adv.

Mr. Sunil Prasad Singh, Adv.

For the Opposite Party.1 : Mr. Md. A.Haque Sahara, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 02-06-2016

Heard.

The petitioner seeks bail in a criminal prosecution based on a complaint petition for the offence under Section 498A of the Indian Penal Code.

Taking into consideration the nature of allegation and also taking into consideration the period of incarceration already undergone by the petitioner since 03.04.2016 and further taking into consideration the fact that the complainant has refused to live with the petitioner, who is her husband, as recorded by the learned Sessions Court in his impugned order, let the petitioner above named be released on bail on furnishing bail bond of Rs.25,000/- with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Sitamarhi in connection with Complaint Case No.CI-1399 of 2015, subject to the conditions

that:

- (A) One of the bailors must be government servant or close family members of the petitioner, who will file an affidavit in the court below showing his/her relationship with the petitioner,
- (B) if the petitioner is found involved in same and similar nature of cases in future, then in that case the informant/prosecution shall be at liberty to file a petition for cancellation of bail of the petitioner, and if such a petition is filed, the court below would be obliged to dispose of the same in accordance with law after giving opportunity of hearing to all concerned;
- (C) the petitioner shall make regular pairvi in the court below in the present case either by appearing himself in person or through representation by his lawyer on each and every date, and if on two consecutive dates petitioner fails to make pairvi, then the court below shall be at liberty to cancel the bail bond of the petitioner.

(Birendra Prasad Verma, J)

Arvind/-

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