

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47787 of 2016

Arising Out of PS.Case No. -46 Year- 2013 Thana -MAHILA PS District- JEHANABAD

=====

1. Chinta Mohan Kumar @ Rajesh Kumar @ Shanku Kumar Son of
Satyendra Kumar Singh Resident of village - Barhuana, P.S. Chandi,
District - Nalanda

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Nilesh Kumar

For the Opposite Party/s : Mr. Sri Narsingh Tanti

=====

CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

2 23-12-2016 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. Petitioner is in custody since 08.09.2016 in connection
with Jehanabad (Mahila) P.S. Case No. 46 of 2013 registered under
Sections 498-A, 341, 504, 379, 494/34 of the Indian Penal Code.

3. The basic accusation is of assault and torture.

4. Learned counsel for the petitioner has submitted that
earlier the petitioner was granted provisional anticipatory bail, after
issuing notice to O.P. No.2, by a co-ordinate Bench of this Court vide
order dated 17.01.2014 passed in Cr. Misc. No. 51225 of 2013,
directing the petitioner to deposit Rs. 750/- per month, as maintenance
to the informant, before the learned court below and on default thereof
the provisional bail of the petitioner was directed to be cancelled
automatically. Further, due to none appearance of the petitioner, on



submission of O.P. No.2, the said application was dismissed. Again, the petitioner has filed Cr. Misc. No. 10780 of 2016 with a prayer for anticipatory bail but the same has also been dismissed as not maintainable. In terms of order dated 17.01.2014 passed in Cr. Misc. No. 51225 of 2013, the petitioner started depositing Rs. 750/- per month from 15.02.2014 to 17.07.2014 and when the petitioner came to know that the informant has solemnized another marriage, he stopped paying Rs. 750/- to the informant. It is also been submitted that petitioner has made all possible efforts to settle the dispute with the informant but at the instance of the petitioner, the same has not been settled. Thereafter the petitioner has been taken into custody since 08.09.2016.

4. Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand rupees only) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Jehanabad in connection with Jehanabad (Mahila) P.S. Case No. 46 of 2016.

(Arvind Srivastava, J)

brajesh/-

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

