

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37853 of 2016

Arising Out of PS.Case No. -3 Year- 2008 Thana -DOMESTIC VIOLENACE District- PATNA

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1. Shailendra Kumar Singh , age about 50 Years S/o Ram Ratan Singh
Resident of Village- Rampur, Post Sona Gopalpur, P.S. Gaurichak, Distt
Patna. Petitioner

Versus

1. The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

2 20-09-2016 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with D. V. Case
No. 03 of 2008 registered under Sections 31 (A), 32 of the
Protection of Women from Domestic Violence Act, 2005.

Allegedly, the petitioner being the husband violated the
Court's order and sold some properties, then learned court below
directed the petitioner to deposit Rs. 7,00,000/-, failing which
Non-bailable warrant of arrest was issued and the petitioner was
apprehended. He is suffering in custody since 04.05.2016.

Submission is of false implication and that the punishment
under Section 31 A is up to one year or with fine which may
extend to Rs. 20,000/- or both and the petitioner is in custody
since 04.05.2016 and he has sufficiently been penalized. He

undertakes not to disturb his wife in future.

Learned APP fairly submits that the case is triable by Magistrate.

In the facts and circumstances stated above, the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Sri Madhwendra Singh, J. M. Ist Class, Patna in connection with D. V. Case No. 03 of 2008, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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