

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29683 of 2015

Arising Out of PS.Case No. -2197 Year- 2013 Thana -COMPLAINT CASE District- ARRARIA

=====

Shankar Mandal Son of Late jay Kumar Mandal, Resident of Village -
Dimhiya, P.S. Tarabari, District - Araria.

.... Petitioner

Versus

1. The State of Bihar
2. Sonika @ Sulekha Devi D/o Musharu Mandal, Resident of Village -
Gitbas P.S. Raniganj, District - Araria.

.... Opposite Parties

=====

Appearance:

For the Petitioner : Mr. Anil Prasad Singh, Advocate
For the OP No. 2 : Mr. Ashok Kumar, Advocate
For the State : Mr. Ramesh Kumar Sahay, APP

=====

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

- 621-09-2016
- Heard learned counsel for the petitioner and learned
APP for the State assisted by learned counsel for the OP No. 2
2. The petitioner apprehends his arrest for the offences
alleged under Sections 323 and 498A/ 34 of the Indian Penal Code
registered in connection with Complaint Case No. 2197 of 2013.
3. It is submitted that the petitioner has been falsely
implicated and in any event, the dispute between the parties has
since been resolved and a petition to that effect has been filed
before the learned court below (Annexure-3 to the supplementary
counter affidavit).
4. Having regard to the entirety of the facts and
circumstances of the case, in the event of petitioner's arrest or
surrender within four weeks hereof let the above named petitioner
be released on provisional anticipatory bail on furnishing bail bond
of Rs.10,000/- [ten thousand] with two sureties of like amount each
to the satisfaction of Sri Sanjay Singh, learned Judicial Magistrate,
Ist Class, Araria in connection with Complaint Case No. 2197 of
2013, subject to the conditions as laid down under Section 438(2)

of the Cr.P.C. and also subject to the following further conditions –

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(iv) That the provisional bail shall stand confirmed if both the parties appear before the learned Court below and the Court is satisfied with regard to the genuineness and *bona fide* of the compromise petition.

(Vikash Jain, J)

Chandran/BT

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