

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23681 of 2017

Arising Out of PS.Case No. -165 Year- 2012 Thana -SULTANGANJ District- BHAGALPUR

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Ajay Jha, Son of Chandra Shekhar Jha, Resident of Village- Basnahi, P.S.-
Basnahi, District- Saharsa.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Sunita Pathak, Daughter of- Anant Pathak, Presently residing at -
Professor Colony, P.S.- Sultanganj, District- Bhagalpur.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anuj Kumar, Advocate.

For the Opposite Party/s : Mr. Ashok Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 19-07-2017 Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in Sultanganj P.S. Case No.
165 of 2012 instituted for the offence under Sections 498A, 34 of
the Indian Penal Code and Sections 3/4 of Dowry Prohibition
Act.

Today, the wife is physically present in Court. She has
stated that she is living separate from her husband since 2009.
She does not want to live with her husband as he commits
physical and mental torture. He has performed marriage with
another lady.

The counsel for the petitioner has submitted that
petitioner is in custody since 25.3.2017. He is ready to keep his



wife (opposite party No. 2) with full dignity and care if she agrees to live with him.

In such circumstances, prayer for bail of the petitioner is allowed. Let the petitioner above named, 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 learned Chief Judicial Magistrate, Bhagalpur, in connection with Sultanganj P.S. Case No. 165 of 2012, subject to the condition that both the bailors will be the close relatives of the petitioner.

The court below is directed to expedite the trial by framing of charge and will make efforts to conclude the same as early as possible preferably within a period of nine months from the date of receipt of this order.

The informant will be entitled to file necessary petition before the court below for cancellation of bail of the petitioner if he will try to delay the trial by tampering the witnesses or assault and give threat to the complainant, which shall be considered by the court below in accordance with law without being prejudiced by this order.

S.Ali/-

(Sanjay Priya, J)

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