

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5449 of 2017

Arising Out of P.S. Case No.74(C) Year- 2016 Thana -BEGUSARAI COMPLAINT CASE District-
BEGUSARAI

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Ram Kumar Mahton, Son of Sri Ram Vilash Mahton, Resident of Murgiyachak, Ward No. 1, Angarghat, P.S. Chakka Khanpur, District Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Sanjan Devi, Wife of Ram Kumar Mahton, Daughter of Parmeshwar Mahton, Resident of Village- Malpur, P.S. Khodawandpur (Chhourahi O.P.), District Begusarai.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Mishra, Advocate.

For the Opposite Party/s : Mr. Ram Anurag Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

5 20-04-2017 The husband and wife are present in Chamber along with their respective counsels. The father of the opposite party No. 2 is also present in Chambers.

The petitioner (husband) has offered to take his wife with him to keep her with all respect on any terms and conditions. He has also stated that he will withdraw the case (s) filed by him if she agree to live with him, but the opposite party No. 2 (wife) as well as her father are adamant not to live with petitioner. The opposite party No. 2 (wife) has stated that she does not want to live with petitioner (husband). The father of the opposite party No. 2 is also not ready to send his daughter to live with petitioner.



From the complaint petition it appears that there is general and omnibus allegation against the petitioner.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioner is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today, in connection with Complaint Case No. 74(C) of 2016, he shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Manjhaul, Begusarai, subject to the conditions as laid down under Section 438 (2) Cr. P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioner and (3) if petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Sanjay Priya, J)

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