

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27724 of 2017

Arising Out of PS.Case No. -62 Year- 2017 Thana -VISHNUPAD District- GAYA

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Ashok Kumar, son of Late Brahmdeo Gope, resident of Mohalla-
Maranpur, P.S.- Vishnupad, District- Gaya

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Thakur, Advocate
Mr. Ravi Ranjan, Advocate

For the Opposite Party/s : Mr. Binod Kumar, APP

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 01-07-2017 Heard learned counsel for the petitioner and the

learned counsel appearing on behalf of the State.

The petitioner is apprehending his arrest in connection with Vishnupad P.S. Case No.62 of 2017 for allegedly having committed the offence under Sections 498A and 494/34 of the Indian Penal Code.

It is submitted by the learned counsel for the petitioner that the divorce between the parties have already been effected, but just during the course of hearing of the First Appeal before this Court, the informant has filed the present case, making false and mischievous allegation as the First Appeal is decided against her and divorce decree has been allowed.



In view of the fact that as on date of allegation, the parties had already been living separately and there is a clear-cut finding in the First Appeal that they are living separately since 27 years, the allegation seems rather remote and vague.

Under the aforementioned facts and circumstances, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bond of ₹10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gaya, in connection with Vishnupad P.S. Case No.62 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjana Mishra, J)

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