IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51338 of 2016

Arising Out of PS.Case No. -277 Year- 2015 Thana -SURSAND District- SITAMARHI

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1. Chandan Sah Son of Bihari Sah, resident of village - Birrakh, P.S. Sursand, District - Sitamarhi

.... Petitioner/s

Versus

1. The State of Bihar
2. Sunita Devi Wife of Chandan Sah resident of village - Birrakh, P.S. Sursand, District - Sitamarhi

.... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Sanjay Kumar
For the Opposite Party/s : Mr. Sri Ram Bilash Roy Raman

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

6 13-07-2017 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Sursand P.S. Case No. 277 of 2015, disclosing offences under Sections 498A, 323,379,504 of the Indian Penal Code.

Earlier the matter was sent to the Patna High Court Mediation and Conciliation Centre, despite that the dispute between them could not be resolved amicably.

The petitioner is the husband of Opposite party No.2. It is evident from the materials on record that matrimonial discord between them is the root cause for registration of the First Information Report. No purpose will be served, if the petitioner is taken into custody.

It is submitted that the petitioner shall present

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himself before the police as and when required and there is no chance that he will tamper with the evidence or influence the witnesses.

Considering the nature of dispute involved and the submissions advanced on behalf of the petitioner, this application is allowed.

Let the petitioner above-named in the event of his arrest/surrender within six weeks from today in the Court below 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 the learned Sub-Divisional Judicial Magistrate, Pupri at Sitamarhi in Sursand P. S. Case No. 277 of 2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the Police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

ArunKumar/-

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