

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17827 of 2017

Arising Out of PS.Case No. -782 Year- 2016 Thana -ARARIA District- ARRARIA

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Bijendra Yadav, son of Satya Narayan Yadav, resident of Village Kharaiya Basti, Police Station Araria, District Araria.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Gopal Kumar Jha, Advocate

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 11-04-2017 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner is in custody since 19.11.2016 in connection with Araria P.S. Case No. 782 of 2016 (G.R. No. 3866 of 2016) for the offences alleged under Sections 498A, 323 and 506/34 of the Indian Penal Code.

3. It is submitted that the petitioner has been falsely implicated and even on the face of the accusation of adultery against the petitioner, ingredients of Section 498A of the Indian Penal Code are not made out as there is no allegation of demand of dowry. The parties have been married for a number of years and have a major daughter and the informant habitually filed such nature of cases against the petitioner.

4. Be that as it may, having regard to the entirety of the facts and circumstances of the case as well as the period of custody since 19.11.2016 already suffered, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Araria in connection with Araria P.S. Case No. 782 of 2016 (G.R. No. 3866 of 2016) with the



following 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) The petitioner shall cooperate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

B.T/Chandran

(Vikash Jain, J)

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