

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31514 of 2017

Arising Out of PS.Case No. -83 Year- 2017 Thana -GARKHA District- SARAN

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Chandan Sah, son of Jay Prakash Sah, resident of Village- Janki Nagar,
P.S.- Garkha, District- Saran at Chapra.

.... Petitioner

Versus

1. The State of Bihar.
2. Binita Devi, W/o Chandan Sah, R/o Village- Jankinagar, P.S.- Garkha,
District- Saran at Chapra.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Vijay Kumar
For the Opposite Party/s : Mr. Ram Priya Saran Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 11-09-2017 Heard learned counsel for the petitioner.

This is an application for bail in connection with Garkha
P.S. Case No. 83 of 2017 registered for the offences punishable
under Sections 341, 323, 328, 498A of the Indian Penal Code and
3/4 of Dowry Prohibition Act.

Allegation against the petitioner is of cruelty and assault
to his wife.

Submission of learned counsel for the petitioner is that
earlier divorce suit was decided ex parte against the petitioner and
petitioner is ready maintain her and cases are being filed one after
another by her and in one earlier case petitioner was granted bail
in Cr.Misc.No.29018 of 2016, vide order dated 27.10.2016 by a
co-ordinate Bench of this Court wherein the fact of ex parte decree
was considered. Further submission is that petitioner is in custody
in this case since 13.5.2017.



Heard learned APP also.

Having heard both sides and in view of facts and circumstances, let petitioner, above named, be released on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Saran at Chapra, in connection with Garkha P.S. Case No. 83 of 2017, subject to the following conditions :-

- (1) One of the bailors shall be a local person having sufficient immovable properties within the jurisdiction of the court concerned,
- (2) Petitioner will co-operate in trial and appear in court on each and every date fixed in the case and on failure to appear without any genuine ground or without permission of court, his bail bond shall be cancelled.

(Vinod Kumar Sinha, J)

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