

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26925 of 2017

Arising Out of PS.Case No. -37 Year- 2017 Thana -BARSOI District- KATIHAR

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Madhav Chand Das, S/o Late Sachidanand Das, R/o Khidirpur, P.S.-
Barsoi, Distt- Katihar.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Singh, Advocate

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

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 06-07-2017 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

Petitioner is languishing in custody since 17.02.2017

in connection with Barsoi P.S. Case No. 37/17 for the offences

alleged under Section 498-A of the Indian Penal Code and Section

37(A) of the Bihar Prohibition and Excise Act.

The prosecution case, as lodged by the wife, is that

her husband is a habitual drunkard and often comes home after

drinking and used to beat her. On the fateful day, he had assaulted

her and her mother.

It has been submitted by the learned counsel for the

petitioner that he is innocent and has been falsely been implicated

in the aforesaid case. He submits that the matter has been



compromised between the husband and the wife and that charge-sheet has already been submitted, hence, there is no chance of tampering with the prosecution evidence.

However, learned A.P.P. for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let the petitioner above named be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand only) with two sureties of the like amount each to the satisfaction of learned ADJ-II cum Special Judge, Katihar, in connection with Barsoi P.S. Case No. 37/17, subject to the condition that since the two cases of similar offence are pending against the petitioner, if the petitioner indulges in an offence of similar nature, the learned court below will be at liberty to cancel the bail bonds of the petitioner.

(Nilu Agrawal, J)

Rajesh/-

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