

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12544 of 2017

Arising Out of PS.Case No. -83 Year- 2014 Thana -KHARIK District- BHAGALPUR

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Dayanand Mandal S/o Mahesh Mandal, R/o Village-Kajikuraiya, P.s.-
Kharik, District-Bhagalpur

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anupa Nand Jha, Advocate
For the Informant : Mr. Rajesh Kumar Pandey, Advocate
For the Opposite Party/s : Mr. Anil Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 28-03-2017 This is an application for grant of anticipatory bail

for offences punishable under Sections 341, 323, 307, 498A/34 of

the Indian Penal Code.

Heard learned counsel for the petitioner.

It has been submitted on behalf of the petitioner that

the present F.I.R. has been lodged on 10.06.2014 whereas the

petitioner has filed a divorce case against opposite party no. 2

before the Principal Judge, Family Court and in that proceeding

notices were issued to the opposite party no. 2 but she did not

appear. Thereafter, there was news paper publication also. After

completion of the procedure final order has been passed and

decree of divorce has been granted in favour of the petitioner by

order dated 11.09.2014.



Heard learned A.P.P. as well as learned counsel for the informant. Learned counsel for the informant has submitted that that he has no knowledge about the case and has filed the Miscellaneous case before the court.

Having heard both sides, this Court is of the opinion that whatever may be the fact but it exists that petitioner has obtained a decree of divorce against his wife, namely, Priyanka Bharti @ Anita Devi, let above named petitioner, in the event of arrest or surrender within a period of six weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Twenty-five thousand only) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Nangatiyan at Bhagalpur, in connection with Kharik P.S. Case no. 83 of 2014, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and also subject to the conditions that (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the investigation and make himself available before the police as and when required.

(Vinod Kumar Sinha, J)

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