

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25248 of 2017

Arising Out of PS.Case No. -1121 Year- 2011 Thana -BHAGALPUR COMPLAINT CASE District-
BHAGALPUR

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Pankaj Kumar Singh @ Pankaj Kumar son of Sri Rudeshwari Prasad Singh
resident of village - Mahuchak, p.s. - Rajaun, Distt - Banka.

.... Petitioner

Versus

1. The State of Bihar.
2. Luxmi Devi D/o Suresh Mandal resident of vill - Ishakchal, Shyam Lal
Das Lane, p.s. - Ishakchak, Distt - Bhagalpur.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Swapnil Kumar Singh
For O.P. 2 : Mr. Anupa Nand Jha
For the Opposite Party/s : Smt Indu Kumari Srivastava

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

6 13-07-2017

Heard learned counsel for the petitioner.

This is an application for bail in connection with
Complaint Case No. 1121 of 2011 lodged for the offences
punishable under Sections 498A, 323, 504/34 of the Indian Penal
Code and 3/4 of Dowry Prohibition Act.

Petitioner is husband and the case is under Section
498A IPC.

It has been submitted on behalf of the petitioner that a
divorce suit has been filed by the petitioner against opposite party
No.2, as such, opposite party No.2 has filed the instant case
against the petitioner and there was settlement between the parties



and petitioner is in custody for last six months.

Heard learned APP and learned counsel for the informant also. They have opposed the prayer for bail stating that earlier compromise failed and permanent alimony amount has been refused to pay by the petitioner and opposite party No.2 is not ready to live with the petitioner. It is also submitted that out of six witnesses two have been examined.

In that view of the matter, learned trial court is directed to expedite the trial and try to conclude it within six months.

Further, the petitioner, named above, is directed to 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, Bhagalpur, in connection with Complaint.Case No. 1121 of 2011, subject to the conditions that :-

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable properties within the jurisdiction of the concerned Court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall cooperate in the disposal of



trial and will appear in court on each and every date and on failure to do so, his bail bond shall be cancelled by the trial court.

With the above observation, this application is allowed.

(Vinod Kumar Sinha, J)

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