

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11728 of 2017

Arising Out of PS.Case No. -275 Year- 2016 Thana -KOTWALI District- MUNGER

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Manoj Kumar Jaisawal Son of Sri Radhey Prasad Jaisawal, Resident of
Mohalla - Belapur Munger, P.S.- Kotwali, District- Munger.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Ms. Babita Kumari

For the Opposite Party/s : Mr. Sri Ajay Kumar-2

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 27-04-2017

Heard the parties.

The petitioner is apprehending his arrest in connection with Munger Kotwali P.S. Case No. 275 of 2016 registered for offences punishable under sections 498A and 304B/34 of the Indian Penal Code.

Petitioner is the husband and case is under Sections 304B, 498A and sections of the IPC.

It has been submitted on behalf of the petitioner that the materials collected during the course of investigation would show that the marriage was solemnized in the year 2001. It has further been submitted that admittedly petitioner was not there at the time of occurrence and he was working at Patna and as such he is not named in the FIR as the assailant of the deceased and



further it has been submitted that the two witnesses who are sons and daughter of the petitioner have also not supported the alleged offence by the petitioner.

Heard learned APP also, who has apposed the prayer for bail.

Having heard both sides and considering the facts as stated above as also materials available on record, let the petitioner Manoj Kumar Jaisawal, in the event of arrest or surrender before the court below within a period of six weeks, be released on bail on furnishing bail bond of Rs. 25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Munger in connection with Munger Kotwali P.S. Case No. 275 of 2016; subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure with following conditions:-

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned court;
- (ii) The petitioner shall co-operate in the investigation of the case and make himself available as and when required by the Police, otherwise, the prosecution is free to move for cancellation of his bail bond; and



(iii) During investigation if any incriminating material is found against the petitioner, the prosecution will be at liberty to move for cancellation of their bail bonds.

S.Sb/-

(Vinod Kumar Sinha, J)

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