

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.61875 of 2018

Arising Out of PS. Case No.-26 Year-2018 Thana- SAKSOHRA District- Patna

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Jitendra Kumar,

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Rubi Devi S/O Late Nawal Mahto, At Present resident of Village-More,P.S.-
Mokama, Distt.-Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Sanjay Kumar @ S.K.
For the Opposite Party/s	:	Mr. Sri Rajendra Prasad Nat
For the Informant	:	Mr. Arjun Prasad

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 06-10-2018 Heard learned counsel for the parties.

This application for regular bail arises out of Saksohra P.S. Case No. 26/2018 for the offences under Sections 341, 323, 498(A), 504/34 of the Indian Penal Code.

The informant and the petitioner were married in 2009. The First Information Report has been got registered in July, 2018.

Learned counsel for the petitioner contends that the matrimonial discord between the informant and the petitioner is the reason behind lodging of the First Information Report. He also submits that despite the petitioner's best efforts, the informant refused to live with him.



Learned counsel appearing for the informant, on the other hand, contradicts the submission made on behalf of the petitioner and contends that despite an affidavit having been filed before the Members of the Gram Panchayat disclosing undertaking that the petitioner will keep the informant with due dignity and love, he has not done so.

The petitioner is in custody since 21.07.2018.

Upon perusal of the First Information Report, I find substance in the submission made on behalf of the petitioner that matrimonial discord is the main reason behind lodging of the First Information Report.

Considering the rival submissions and the nature of allegation made in the First Information Report, this application is allowed.

Let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Sri Pankaj Kumar Tiwari, learned Judicial Magistrate 1st Class, Barh, Patna in Saksohra P.S. Case No. 26/2018.

(Chakradhari Sharan Singh, J)

Pawan/Ragini

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