

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51484 of 2018

Arising Out of PS.Case No. -197 Year- 2015 Thana -BELHAR District- BANKA

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1. Anil Kumar, Son of Kameshwar Pandit, resident of Village Patra Nimiyan, P.S. Belhar, District- Banka.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Bindu Devi, Wife of Anil Kumar, Resident of Village- Patra Nimiyan, P.S.- Belhar, District- Banka.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Brij Nandad Prasad

For the Opposite Party/s : Mr. Sri Braj Kishore Prasad

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 19-09-2018 Heard the parties.

The petitioner is apprehending his arrest in connection with Belhar P.S.Case No.197 of 2015 , registered for offences punishable under Sections 498(A), 323, 325, 324, 504, 506/34 of the Indian Penal Code.

Allegation against the petitioner is of demand of a motorcycle and also of torturing her. Petitioner is husband of the informant.

Submission of the learned counsel for the petitioner is that no specific allegation of assault has been mentioned against him and he is still ready to keep her.

Heard learned A.P.P. also.



Having heard both sides and in view of the fact that no specific allegation of assault has been mentioned against the petitioner, as such let the petitioner, above named, in the event of arrest or surrender before the court below within a period of six weeks from the date of order 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 the learned ACJM- IV, Banka in connection with Belhar P.S.Case No.197 of 2015 subject to condition 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 will not induce any witness or tamper with the evidence.
- (iii) 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.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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