

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52490 of 2018

Arising Out of PS.Case No. -89 Year- 2018 Thana -SANHAULA District- BHAGALPUR

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Md. Najam Son of Md. Mannan, Residence of Village- Beltikari, P.S. Sanhoula, Distt. Bhagalpur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Dhananjay Kumar Gupta, Adv.

For the Opposite Party : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

3 20-09-2018 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 494, 498(A) of the Indian Penal Code registered in connection with Sanhoula P.S. Case No. 89 of 2018.

3. It is submitted that the petitioner who happens to be the husband of the informant, has been falsely implicated and this is the first such complaint in 20 years of marriage. There is specific denial in paragraph-8 of the petition that the petitioner has not solemnized marriage with another lady. He expresses his willingness to keep her with due dignity and honour. The petitioner claims clean antecedents.

4. Be that as it may, having regard to the entirety of the facts and circumstances of the case, in the event of the petitioner's arrest or surrender before the court below within six weeks from the date of communication of this order, let the above



named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhagalpur in connection with Sanhoula P.S. Case No. 89 of 2018 subject to the conditions as laid down under Section 438 (2) Cr.P.C., and also subject to the following further conditions:

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) The petitioner shall cooperate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(iv) The petitioner shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

Md. Ibrarul/-

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