

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8009 of 2019

Arising Out of PS. Case No.-395 Year-2018 Thana- MALSALAMI District- Patna

SUJEET SINGH @ SUJEET KUMAR @ GUDDU, aged about 36 years,
Male, Son of Parmanand Singh, Resident of Village - Kukha, PS-
Chandrapura, district Vaishali, at present Village - 12/4 Paschim Kapte Para
Athpur, PS- Jagdaal, Distt- North 24 Parganas, West Bengal
... Petitioner

Versus

1. The State of Bihar
2. Kanchan Singh, aged about 29 years, Female, Wife of Sujit Singh @ Guddu,
D/o Visheshwar Singh, Resident of Village - Didarganj Halt, Abdul
Rahampur, P.S. Malsalami, district Patna ... Opposite Parties

Appearance :

For the Petitioner : Mr. Jay Ram Prasad, Adv.
For the Opposite Party : Mr. Narendra Kumar Singh, APP

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 13-02-2019 Heard the learned counsel for the petitioner and the

learned counsel appearing for the State.

The petitioner is languishing in judicial custody since
23.11.2018 in connection with Malsalami P.S. Case No. 395 of
2018 for the offences alleged under Sections 341, 323, 498A,
504 and 506 of the Indian Penal Code.

The prosecution case, as lodged by the wife of the
petitioner, is that she was married to the petitioner in the year
2006 and has always been subjected by the petitioner with
torture and assault and the impugned order passed by the
learned Court below also signifies that the informant appeared
personally and stated that the petitioner had assaulted her time
and again and is under threat that the petitioner will kill her.



It has been submitted by the learned counsel for the petitioner that he is innocent and has been falsely implicated in the aforesaid case. He undertakes to take his wife and live with her with full dignity and honour and no such incident will occur in future.

However, the learned Additional Public Prosecutor for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record as well as the undertaking of the petitioner, let the petitioner, above named be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each in connection with Malsalami P.S. Case No. 395 of 2018 to the satisfaction of the learned Sub Judge IV-cum-Additional Chief Judicial Magistrate, Patna City, Patna, subject to the following conditions :

(i) One of the bailors would be a close relative of the petitioner having sufficient immovable property, who will file an affidavit stating his relationship with the petitioner.

(ii) If the petitioner indulges in an offence of similar nature in future, the prosecution will be at liberty to move the learned Court below for cancellation of his bail bonds.

(iii) If the petitioner threatens and assaults the



informant in future, the informant and the prosecution will be at liberty to move the learned Court below for cancellation of the bail bond of the petitioner.

(Nilu Agrawal, J)

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