

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10118 of 2019

Arising Out of PS. Case No.-191 Year-2018 Thana- MAHILA P.S. District- Patna

Rakesh Kumar Singh, aged about 36 years, Gender Male, Son of Shri Sushil Kumar Singh, Resident of Mohalla - Bangali Tola, Postal Park, Road No. 3/B, Post Office - G.P.O., Police Station- Jakkanpur, Town and District- Patna

... .. Petitioner

Versus

1. The State of Bihar
2. Anita Kumari, aged about 38 years, Gender Female, Wife of Rakesh Kumar Singh, Daughter of Sri Ramchandra Singh, Resident of Shiv Shakti Path, Road No. 3, Mahavir Nagar, 70 Feet Road, Police Station - Beur, Town and District- Patna

... .. Opposite Parties

Appearance :

For the Petitioner	:	Mr. Ravindra Nath Dubey
		Mrs. Punam Kumari, Advocates
For the Opposite Party	:	APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 21-02-2019 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 498(A) and 420/34 of the Indian Penal Code registered in connection with Gardanibagh Mahila P.S. Case No. 191 of 2018.

3. It is submitted that the petitioner has been falsely implicated and the present FIR has been instituted in the wake of Matrimonial Case No. 120 of 2017 filed for divorce by the petitioner. In a month prior to the present FIR, she has filed Domestic Violence Case No. 113 of 2018 which clearly discloses the intention of the opposite party no. 2 to harass the petitioner. The petitioner claims clean antecedents and has been implicated only in Domestic Violence Case No. 113 of 2018 and the present FIR at the instance of the informant subsequent to filing of divorce case by him.

4. Be that as it may, 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, Patna in connection with Gardanibagh Mahila P.S. Case No. 191 of 2018, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and with 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) That 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.

(iv) That 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.

BT/Chandran

(Vikash Jain, J)

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