

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12081 of 2019**

Arising Out of PS. Case No.-364 Year-2018 Thana- LAURIA District- West
Champaran

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Anish Shukla @ Anish Kumar Shukla aged about 32 years, male, Son of
Rameshwar Shukla R/o village- Shukla Tola Siswaniya, P.S- Lauriya,
District- West Champaran

... .. Petitioner

Versus

1. The State Of Bihar
2. Baby Shukla aged about 36 years, female, Wife of Anish Shukla @ Anish
Kumar Shukla, D/o Ravindranath Upadhyay R/o village- Shukla Tola
Siswaniya, P.S- Lauriya, District- West Champaran

... .. Opposite Parties

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Appearance :

For the Petitioner : Mr. Brij Kishor Mishra, Advocate.

For the Opposite Parties: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 27-02-2019 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)/34 of the Indian Penal Code
registered in connection with Lauriya P.S. Case No. 364 of 2018.

3. It is submitted that the petitioner has been falsely
implicated and as a matter of fact it is the informant who is not
willing to lead conjugal life with the petitioner. The petitioner has
also filed Matrimonial Case No. 315 of 2018 for restitution of
conjugal rights which is pending and reiterates his readiness to
keep the opposite party no. 2 with due dignity and honour. The
parties have been married about ten years ago and this is the first
such complaint. The petitioner claims clean antecedents.

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 1st Additional Chief Judicial Magistrate, Bettiah, District- West Champaran in connection with Lauriya P.S. Case No. 364 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) 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.

(iv) 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.

(Vikash Jain, J)

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