

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21139 of 2019

Arising Out of PS. Case No.-360 Year-2016 Thana- MADHAURAH District- Saran

ANAND KUMAR MAHTO Son of Late Ambika Mahto, Resident of village-
Rajapur, Police Station-Basanpur, District-Siwan.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Roy

For the Opposite Party/s : Mr.Yogendra Kumar

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

7 17-10-2019 Heard learned counsel for the parties.

Petitioner is apprehending his arrest in connection with Morhowrah P.S.Case No.360 of2016 , registered for offences punishable under Sections 498(A)/34 of the Indian Penal Code and Section 3/4 of the D.P.Act.

Case is under Section 498(A) of the IPC with respect to demand of motorcycle and for that ousting her from the house.

Submission of the learned counsel for the petitioner is that he is still ready to keep her with dignity and care and the notice was issued to the O.P.no.2.

Heard learned A.P.P. and from perusal of the record, it appears that the notice was issued to O.P.no.2 and the same was received by one Govardhan Mahto without showing any



relationship but the office notes further show that the notice was hanged at the door of the addressee.

Having heard both sides and in view of stand of the petitioner, this application is disposed of with a direction to the petitioner to surrender before the learned court below within a period of three weeks from the date of receipt of the order and on surrender, he will 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 SDJM, Saran at Chapra in connection with Morhowrah P.S.Case No.360 of 2016, subject to conditions as laid down under Section 438 (2) of the Code of Criminal Procedure with further condition that if O.P.no.2 wants to reside with the petitioner, he will keep her with dignity and care.

With the above direction, this application is allowed.

(Vinod Kumar Sinha, J)

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