

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23053 of 2019**

Arising Out of PS. Case No.-38 Year-2019 Thana- KADAMKUAN District-
Patna

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SATYAM KUMAR JHA, aged about 24 years, male, S/o Nand Kishor Jha
Resident of C/o A.K. Mishra Rajendra Nagar, Patna Road No.6, P.S-
Kadamkuan, District-Patna.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Uday Kumar, Advocte.

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 12-04-2019 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest for the offences
alleged under Sections 354, 504 and 506 of the Indian Penal Code
registered in connection with Kadamkuan P.S. Case No. 38 of
2019.

3. It is submitted that the petitioner has been falsely
implicated and the informant is none other than the petitioner's
wife and as such the accusations under Section 354 IPC are
unlikely. The F.I.R. has been instituted in retaliation to the
petition for restitution of conjugal rights filed by the petitioner in
Matrimonial Case No. 1376 of 2017. The petitioner is accused in
one prior case of different nature in which he is on bail.

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 Sub-Judge VII cum A.C.J.M., Patna, in connection with Kadamkuan P.S. Case No. 38 of 2019, 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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