

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.72394 of 2018

Arising Out of PS. Case No.-152 Year-2015 Thana- LADANIA District- Madhubani

Chandeshwar Singh, son of Bhagwat Singh, R/o Pathrahi Tola Makari, PS
Ladaniya, Distt-Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar,
2. Sharda Devi, W/o Chandeshwar Singh, D/o Baidnath Mahto, R/o Maharajpur
Khajauli Distt. Madhubani.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Soban Asghar, Advocate

For the Opposite Party/s : Mr. Madhuranand Jha, APP

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL ORDER

5/ 13-02-2019

Heard learned counsel for the petitioner and learned

APP for the State.

Petitioner apprehends his arrest in **Ladaniya P.S.**

Case No.152 of 2015 instituted for the offence under Section(s)
420, 406, 192, 496, 120-B Indian Penal Code.

Anticipatory bail application (Cr. Misc. No.47237 of
2017) filed on behalf of the petitioner stood dismissed for non-
compliance of the order dated 13.10.2017. Thereafter,
restoration application was filed on behalf of the petitioner,
which was dismissed by order dated 11.04.2018 passed in Cr.
Misc. No.17064 of 2018 with liberty to file fresh anticipatory
bail application.

Counsel for the petitioner submits that petitioner was



suffering from sexual disease prior to marriage, which finds mention in the Complaint Petition itself. The Complainant has alleged that family members of this petitioner got marriage of the Complainant performed without giving correct information to the Complainant and her family members. It is further submitted that petitioner has not committed any overt act as per Complaint Petition.

In the facts and circumstances of the case, prayer of the petitioner for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today in connection with **Ladaniya P.S. Case No.152 of 2015**, he shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of **Additional Chief Judicial Magistrate, IV, Madhubani**, subject to the conditions as laid down under Section 438(2) Cr.P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned, (2) petitioner shall co-operate in the trial and shall be present on each and every date fixed by the Court and his absence on two consecutive dates without proper and reasonable reason will be liable to cancel his bail bond and (3) if petitioner



tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Sanjay Priya, J)

J. Alam/-

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