

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29283 of 2019

Arising Out of PS. Case No.-210 Year-2018 Thana- NAANPUR District- Sitamarhi

AWADHESH BAITHA @ AWDHESH BAITHA Son of Bhikhadhi Baitha
Resident of Village - Hirdo Patti (Hridaypatti) Tole Sahpur, P.S.- Hathauri,
District - Muzaffarpur

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Bimla Devi Wife of Awadhesh Baitha D/O Ram Saran Baitha at present
residing at Village Gaudhi, P.S.- Nanpur, District - Sitamarhi

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Uday Kumar
For the Opposite Party/s : Mr.Harendra Prasad

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

3 25-07-2019 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 341, 323, 498A, 504, 34 of the Indian Penal Code registered in connection with Nanpur P.S. Case No. 210/2018.

3. It is submitted that the petitioner has been falsely implicated and this is the first complaint of its nature since the petitioner and the informant were married as far back as in the year 2013. The petitioner expresses his readiness to keep the informant with due dignity and honour and submits that it is the informant who is not willing to live with him. The petitioner claims clean antecedents.

4. Despite valid service of notice on OP No. 2 none is present on her behalf when the matter is called.

5. 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 SDJM, Pupri at Sitamarhi in connection with Nanpur P.S. Case No. 210/2018, 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 co-operate 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. 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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