

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31140 of 2019

Arising Out of PS. Case No.-21 Year-2019 Thana- MAHILA P.S. District- Bhojpur

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BISHNU DEO KUMAR @ VISHNUDEV KUMAR S/o Dukhi Rajak R/o village- Kanausi, P.S.- Goraru, Distt.- Gaya. At present resident of- Yudga, P.S.- Yudga, Dist.- Bokaro (Jharkhand)

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Prabha Kumari, Ex. Contract Teacher W/o Bishnudeo Kumar, D/o Vinod Kumar R/o village- Paniyari, P.S.- Nawanagar, Distt.- Buxar at present-teacher, Jawahar Navodaya School, Bihiya, P.S.- Bihiya, District- Bhojpur

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Rajani Ranjan Pd. Singh
For the State	:	Mr.Pawan Kumar Chaurasia
For the Informant	:	None

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

4 05-08-2019 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 498A, 379, 504, 506.34 of the Indian Penal Code and Section 3 and 4 of the D.P.Act registered in connection with Mahila P.S. Case No. 21 of 2019.

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 a year ago. 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. Learned counsel for the petitioner invites reference to para 4 of the orders of the learned Additional Sessions Judge to the effect that on 09.04.2019 the informant-wife and the petitioner both were present in the learned Court



below, but the informant refused to join the company of the petitioner. The petitioner claims clean antecedents.

4. Despite valid service of notice and having entered appearance, none is present on behalf of OP No. 2 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, Bhojpur at Ara in connection with Mahila P.S. Case No. 21 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 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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