

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.77693 of 2018

Arising Out of PS. Case No.-105 Year-2018 Thana- MAHILA P.S. District- Bhojpur

Kamal Nayan Tiwari S/o Laxmi Niwas Tiwari, R/o Vill. + P.O. - P.S.-
Dawath, District- Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sheo Jee Mishra
For the Opposite Party/s : Mr.Sri Umesh Lal Verma

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 02-01-2019 Heard the parties.

The petitioner is apprehending his arrest in connection with Mahila P.S.Case No.105 of 2018 , registered for offences punishable under Sections 498A, 379, 420, 120B/34 of the Indian Penal Code.

Allegation against the petitioner who happens to be husband is that earlier she had lodged a case under Section 498A of the IPC but the petitioner was acquitted by the learned trial court.

Submission of the learned counsel for the petitioner is that the judgment of the learned trial court in the earlier case is kept as Annexure 3 of the petition whereby he had been acquitted and thereafter the present case has been lodged.

Heard learned A.P.P. also.



Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of six weeks from the date of order 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, Bhojpur at Ara in connection with Mahila P.S.Case No.105 of 2018 subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure with further condition that if any maintenance case is filed against the petitioner, he shall co-operate in disposal of the case, otherwise his bail bond shall be cancelled.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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