

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1167 of 2019

Arising Out of PS. Case No.-25 Year-2018 Thana- AURANGABAD COMPLAINT CASE
District- Aurangabad

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Rohit Kumar, son of Uday Prasad, resident of village Kanni Ram Chauk, in front of school, Aaryasamaj road, ward No. 10, Modininagar, P.S. Daltenganj, District Palamu (Jharkhand)

... .. Petitioner

Versus

1. The State of Bihar
2. Archana Kumari, wife of Rohit Kumar, daughter of Hira Prasad, resident of village Kanni Ram Chauk, in front of school, Aaryasamaj road, Ward No. 10, Modininagar, P.S. Daltenganj, District Palamu (Jharkhand)

... .. Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan
For the Opposite Party/s : Mr. Pradeep Narain Kumar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 17-01-2019 Petitioner apprehends his arrest in connection with Daudnagar Complaint Case No. 25 of 2018 in which cognizance has been taken under Sections 323, 379, 498A and 504/34 of the Indian Penal Code.

Allegation against the petitioner is of harassing and subjecting his wife to cruelty and further allegation is that he married another lady.

Submission of learned counsel for the petitioner is that story of another marriage is false and he is still ready to keep his wife with him if she is ready to live with him and marriage was solemnized 11 years ago having two children also.

Heard learned APP also.



Having heard both sides and in the facts and circumstances, this application is disposed of with direction to the petitioner to surrender within a period of six weeks from the receipt of this order and on surrender he will be released on provisional bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the Sub-Divisional Judicial Magistrate, Daudnagar, District Aurangabad, in connection with Daudnagar Complaint Case No. 25 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and further condition that one of the bailors of the petitioner shall be a local person having sufficient immoveable properties within the jurisdiction of the court concerned and the learned court below is directed to issue notice to the complainant and on her appearance try to re conciliate the matter and if the petitioner is found not at fault, his bail bond shall be confirmed, otherwise the court below will pass any other order(s) as it may deem fit and proper.

(Vinod Kumar Sinha, J)

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