

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36564 of 2019

Arising Out of PS. Case No.-75 Year-2019 Thana- KOTWALI District- Munger

SHIV KUMAR S/o Brahmdeo Singh Resident of Village- Charaun, P.S.-
Muffasil, District- Munger.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Pratima Kumari W/o Shiv Kumar, D/o Parasnath Singh Resident of Village-
Surajpur, P.S.- Nalanda, District- Nalanda.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Sevak Choudhary

For the Opposite Party/s : Mr.Atul Chandra

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 14-08-2019 Petitioner seeks bail in anticipation of his arrest in connection with Kotwali P.S. Case No. 75 of 2019 registered for the offences punishable under Sections 341, 323, 324 and 498A/34 of the Indian Penal Code.

Allegation against the petitioner, who happens to be husband of the informant, is of demand and subjecting her to torture.

Submission of learned counsel for the petitioner is that as a matter of fact she is not ready to reside with the petitioner as she is working at Nalanda and petitioner has to look after his mother and father at Munger, for which he has filed a divorce case for desertion which is pending in the Family Court, Munger. Further submission is that during conciliation she came and misbehaved with his father and mother for that he has lodged a complaint petition before the court of



CJM, Munger, which is Annexure-3 and Annexure-4 is injury reports in that connection and thereafter several complaints have been lodged to the Superintendent of Police and other authorities with regard to highhandedness of the informant and as such he is not ready to keep her and she is a Government servant.

Heard learned APP and learned counsel for the informant, who has opposed the prayer for anticipatory bail on the ground that she is ready to reside with the petitioner.

In view of above facts and circumstances, let petitioner surrender and on surrender he shall be released on 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 Chief Judicial Magistrate, Munger, in connection with Kotwali P.S. Case No. 75 of 2019, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. and further condition is that one of the bailors of the petitioner shall be a local person having sufficient immoveable property within the jurisdiction of the court concerned.

(Vinod Kumar Sinha, J)

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