

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39222 of 2019

Arising Out of PS. Case No.-226 Year-2018 Thana- AWTARNAGAR District- Saran

VIKRANT KUMAR @ VIKRANT SINGH @ NAVIN SINGH Son of
Mohan Singh Resident of Village / Mohalla - Sekhpura, P.S.- Rivilganj,
District- Saran (Chapra)

... .. Petitioner/s

Versus

1. The State of Bihar
2. Arti Devi, daughter of Visheshwar Singh, village Mirpur, Juara, P.S. Autarnagar, District Saran, Chapra.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ritesh Kumar
For the Opposite Party/s : Mr.Md. Matloob Rab

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

6 16-11-2019 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, 448, 307, 498(A)/34 of the Indian Penal Code and Section 3 and 4 of the D. P. Act registered in connection with Awtar Nagar P.S. Case No. 226 of 2018.

3. It is submitted that the petitioner, who is the husband of the informant-opposite party no. 2, has been falsely implicated and as a matter of fact the petitioner himself has earlier filed a petition for restitution of conjugal rights in R.C.R. Case No. 157 of 2018 before the learned Principal Judge, Family Court, Saran at Chapra. The petitioner reiterates his readiness to keep the OP No. 2 with due dignity and honour, but the OP No. 2 is not ready to resolve the dispute and attempts in that direction in course of mediation proceeding also failed. The petitioner has also filed FIR being Awtar Nagar P.S. Case No. 227 of 2018 as a counter case to the present FIR alleging that the informant's side has assaulted him and taken away his motorcycle. The petitioner was earlier made accused in Complaint Case No. 895 of



2018 by the informant but, however a statement is made at the Bar that the same has not been prosecuted by her.

4. Learned APP assisted by learned counsel for the informant appears and has been heard. It is submitted on behalf of the informant that the petitioner has repeatedly tortured her with a view to having her parental properties transferred in his name.

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 ACJM II, Saran at Chapra, in connection with Awtar Nagar P.S. Case No. 226 of 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)

Chandran/-

U		T	
---	--	---	--

