

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41966 of 2019

Arising Out of PS. Case No.-40 Year-2018 Thana- MAHILA P.S. District- Rohtas

RAJNI KANT MISHRA Son of Sachida Nand Mishra Resident of Village -
Sohwaliya, P.S.- Kochas, P.O. Kopasar, District- Rohtas

... .. Petitioner/s

Versus

1. The State of Bihar
2. Dipmala Devi D/O - Ramanuj Pathak Resident of Village - Bhawadih, P.S.-
Karahgar (Sidhi), District- Rohtas

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Kumar Pandey

For the Opposite Party/s : Mr.Narsingh Tanti

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 09-07-2019 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 498(A), 341, 342, 323, 506/34 IPC and Section 3 and 4 of the D.P.Act registered in connection with Rohtas Mahila P.S. Case No. 40/2018.

3. It is submitted that the petitioner has been falsely implicated and this is the first complaint of such nature since the petitioner and the informant were married in the year 2011. As a matter of fact the informant herself left the petitioner after developing illicit relationship with another person. The petitioner has filed Matrimonial Case No. 171/2018 for divorce on 28.05.2018, in retaliation to which the present FIR has been instituted on 01.06.2018. The petitioner claims clean antecedents.

4. 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, Dehri, in connection with Rohtas Mahila P.S. Case No. 40/2018, 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/-

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