

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49152 of 2019

Arising Out of PS. Case No.-237 Year-2018 Thana- RUPASPUR District- Patna

RAJESH KUMAR @ RAJESH KUMAR CHAUDHARY, aged about 43 years, Male, Son of Raj Kumar Choudhary, Resident of Village - Naad, P.O.- and P.S.- Sirdalla, Dist.- Nawada, At Present Resident of Mohalla - Gayatri Nagar, Saubhagya Sharma Path, P.S.- Rupaspur, Dist.- Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. A. K. Thakur, Mr. Md.Imteyaz Ahmad Mr. Shashank Shekhar, Advocates
For the Opposite Party/s :		Mr. Sanjay Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

4 30-09-2019 Heard learned counsel for the parties.

Petitioner seeks bail in a case registered for the offence punishable under Sections 323, 325, 498A and 306/34 of the Indian Penal Code.

Earlier, prayer for bail of the petitioner was rejected by this Court as contained in Annexure 1.

Informant is mother-in-law of petitioner who in her written complaint has stated that his daughter was married to petitioner in the year 2007 and from said wedlock, two children were born, however, she was subjected to mental and physical



torture by the petitioner. The relations between husband and wife were strain and it is alleged that due to mental and physical torture, her daughter committed suicide.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case. The allegation of torture is false and after investigation, police has submitted the charge-sheet. Petitioner has got no criminal antecedent and is in custody since 16.06.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Sessions Trial No.241/2019 arising out of Rupaspur P.S. Case No. 237/2018 with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.



(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

Sanjay/-

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