

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48484 of 2019

Arising Out of PS. Case No.-93 Year-2018 Thana- MAINATAND District- West Champaran

RAJU SAHANI Son of Bharat Sahani Resident of Village - Bastha, Langadi,
P.S.- Mainatand, Dist.- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey

For the Opposite Party/s : Mr.Rajesh Kumar,APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 05-08-2019 Heard learned counsel for the petitioner and learned APP for
the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 498A, 323, 406, 505 of the Indian Penal Code registered in connection with Mainatand P.S. Case No. 93/2018.

3. It is submitted that the petitioner has been falsely implicated only in retaliation to the Divorce Suit No. 295/2018 filed by the petitioner and the present FIR has been lodged two days thereafter. The petitioner claims that he is not the father of the child of the informant and expresses his readiness for a DNA test for establishing paternity. This is the first complaint of its nature filed by the informant since the parties were married in the year 2011. The petitioner claims clean antecedents.

4. Learned counsel for the informant appears suo motu and has been heard.

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



SDJM, Bettiah, West Champaran in connection with Mainatand P.S. Case No. 93/2018, 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)

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