

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51426 of 2019**

Arising Out of PS. Case No.-473 Year-2018 Thana- BIKRAMGANJ District- Rohtas

Bigu Nut Son of Ram Ashish Nut Resident of Village-Beda, Police Station-
Shiv Sagar, District-Rohtas ... Petitioner

Versus

1. The State of Bihar
2. Jyoti Kumari Daughter of Ravi Shankar Nut Resident of Village-Khaira
Bhudhar, Police Station-Bikramganj, District-Rohtas
... ... Opposite Party

Appearance :

For the Petitioner : Mr.Rajendra Kumar Deo, Advocate
For the Opposite Parties : Pushpa Sinha, Addl Public Prosecutor

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

4 20-11-2019 Heard learned counsel for the parties.

Petitioner, husband of opposite party no.2, apprehends his arrest in a case registered for offence punishable under sections 341, 323, 354, 498A, 379/34 of the Indian Penal Code read with sections 3/4 of the DP Act.

In spite of valid service of notice to opposite party no.2 vide office notes dated 4.11.2019, no one appears for her.

Learned counsel for the petitioner, refuting the allegations, undertakes that the petitioner would keep his wife/ opposite party no.2 to her matrimonial house with care and honour, though it is she who is not ready to live with him and a false case has been filed to give different angle to the issue. Petitioner earns his livelihood by doing labour work.

Let the petitioner, as mentioned above, be released on bail, in the event of his surrender within six weeks, on furnishing bail bond of Rs.10,000/- with two sureties of the like amount each to the satisfaction of the ACJM, Bikramganj, Rohtas in Bikramganj Police Station Case No. 473 of 2018, on the following conditions:-

(1) 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 on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

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

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(Prabhat Kumar Singh, J)

