

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59549 of 2019

Arising Out of PS. Case No.-111 Year-2019 Thana- MAHUA District- Vaishali

SANJAY KUMAR @ RAHUL CHOUDHARY @ RAHUL KUMAR Son of
Anil Choudhary Resident of Village-Birna Lakhan Seen, P.S-Mahua, District-
Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rudal Singh

For the Opposite Party/s : Mr.Dashrath Mehta

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 23-09-2019 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, 379 and 504/34 of the Indian
Penal Code, registered in connection with Mahua P.S.Case No.
111 of 2019.

3. It is submitted that the petitioner has been falsely
implicated and the informant is none other than the petitioner's
wife. The present F.I.R. has been lodged only because of
marital dispute between the parties. The informant had earlier
lodged Mahua P.S. Case No. 203 of 2018 under Section 498(A)
of the Indian Penal Code and the petitioner claims to be a poor
rickshaw-puller and expresses his willingness for harmonious



matrimonial life with the informant. Except the aforesaid Mahua P.S.Case No. 203 of 2018 filed at the instance of the informant, the petitioner claims clean antecedents.

4. Be that as it may, in the event of petitioner's arrest or surrender before 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 the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Mahua P.S.Case No. 111 of 2019, 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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