

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60186 of 2019

Arising Out of PS. Case No.-48 Year-2019 Thana- MAHILA P.S. District- Nalanda

SURYA KANT KUMAR S/o Raj Kumar Rai R/o village- Shivnagar, P.S.-
Mokama, P.S.- Patna, at present Mohalla- Premnagar Road No. 1, House No.
3, Town,- Jamshedpur, P.S.- Telco, District- Singhbhum.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR.
2. Veena Kumari D/o Surendra Prasad R/o village- Amawan, P.S.- Bind,
District- Nalanda.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Samir Kumar Sinha
For the Opposite Party/s	:	Mr.Jai Narain Thakur
For the Informant	:	Mr. Satya Prakash, Advocate.

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

3 20-11-2019 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Mahila P.S. Case No. 48 of 2019, disclosing the offence under Section 498 (A), 323, 341, 504, 506/34 of the Indian Penal Code and Section 3/4 of the D.P. Act.

Petitioner is husband of opposite party No. 2, the informant.

It is the petitioner's case that the marriage between the petitioner and opposite party No. 2 has been dissolved on an application filed by the petitioner under Section 10 of the Hindu Marriage Act.



Learned counsel appearing on behalf of the petitioner has submitted that the petitioner had filed an application under Section 10 of the Hindu Marriage Act seeking judicial separation which has been allowed and a decree has been passed by learned Principal Judge, Family Court, Jamsedpur in original Suit No. 27 of 2019. He has submitted that since the informant is unstable and the petitioner was finding it difficult to live with her as husband and wife, the F.I.R has been lodged just to put undue pressure on the petitioner.

Considering the facts and circumstances, this application is allowed. Let the petitioner above-named, in the event of his arrest/surrender within six weeks from today in the court below, be released on bail on furnishing bail bonds of Rs,10,000/- (ten thousand), with two sureties of the like amount, each to the satisfaction of learned S.D.J.M. Nalanda at Biharsharif, in Mahila P.S. Case No. 48 of 2019, subject to the condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

This is the subject to the condition that the petitioner shall present himself before the Police/ Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his



bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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