

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57032 of 2019

Arising Out of PS. Case No.-64 Year-2019 Thana- MAKHDUMPUR District- Jehanabad

VIVEK KUMAR, Male, aged about 28 years, Son of Pyarechand Singh,
Resident of Village - Chhariyari, P.S.- Makhdumpur, Distt - Jehanabad.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sapna Kumari, Female, aged about 23 years, D/o Shiv Shankar Prasad, R/o village- Bihargain P/o Bhaduhar PS Raushanganj, District, Gaya

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Vijay Kumar
For the Opposite Party/s	:	Mr. Vinod Shanker Modi
For the O.P. No. 2	:	Mr. Arvind Kr. Singh

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 20-11-2019 Heard learned counsel for the petitioner, learned counsel for the State and learned counsel for the informant.

The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 494, 495, 498(A), 120(B) of the Indian Penal Code.

Allegation against the accused persons including the petitioner is to have tortured the informant (wife of the petitioner). Further allegation is that the petitioner has solemnized second marriage.

It has been submitted on behalf of the petitioner that he is innocent and has falsely been implicated in this case. It has further been submitted that informant is neither the wife of



the petitioner nor the petitioner is husband of the informant as such there is no relation of husband and wife between the informant and the petitioner. Petitioner has also filed a matrimonial case No.56 of 2019 before the court below for declaring him not to be husband of the informant. Petitioner is a government servant having no criminal antecedent.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned court below in connection with Makhdumpur P.S. Case No.64 of 2019 subject to the condition as laid down under Section 438(2) of the Cr.P.C 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 present on each and every date fixed by the court and his absence on two consecutive dates without proper and reasonable reason will be sufficient to cancel his bail bond.



(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/-

U		T	
---	--	---	--

