

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.61536 of 2019

Arising Out of PS. Case No.-1578 Year-2018 Thana- NALANDA COMPLAINT CASE
District- Nalanda

SHAILENDRA KUMAR son of Ram Gulam Paswan Resident of Village-
Makduane, Police Station- Manpur, District- Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Neha Rani Wife of Shailendra Kumar Resident of Village- Makduane, Police station- Manpur, District- Nalanda. Daughter of Rajo Paswan, resident of Mohalla- Swordaynagar, P.O.- Maghra, Police Station- Deep Nagar, District- Nalanda.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar Singh

For the Opposite Party/s : Mr.Yogendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA

ORAL ORDER

2 26-09-2019 Heard learned counsel for the parties.

Petitioner is apprehending his arrest in connection with Complaint Case No.1578C of 2018 , registered for offences punishable under Sections 498A, 406, 323 of the Indian Penal Code.

As per the FIR, there is allegation against the petitioner, who happens to be husband of the complainant, of demand of Rs.05 lac for giving bribe to fulfil the demand for appointment to the post of *Daroga*.

Submission of the learned counsel for the petitioner is that as a matter of fact the complainant does not like the petitioner and she is not ready to reside with the petitioner, for that the petitioner has filed a matrimonial case No.113 of 2018 under Section 9 of the Hindu Marriage Act for restitution of the conjugal right and after nine months of the filing of the



application, the present case has been filed making some false allegation. It has also been submitted that during the hearing of the anticipatory bail application before the Addl. Sessions Judge, the complainant appeared and the learned Addl. Sessions Judge disposed of the application without any effort for reconciliation or anything.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner, above named, in the event of arrest or surrender before the learned court below, be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Sri Vidya Nand Sagar, J.M. Ist Class No.4, Nalanda at Biharsharif in connection with Complaint Case No.1578C of 2018, subject to conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

With the above direction, this application is allowed.

(Vinod Kumar Sinha, J)

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