

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58504 of 2019

Arising Out of PS. Case No.-849 Year-2018 Thana- MUZZFARPUR COMPLAINT CASE
District- Muzaffarpur

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Vivekanand Jha @ Shetty Son of Pramod Kumar Jha Resident of Village -
Goraul Bhagwanpur, P.S.- Goraul, Distt – Vaishali ... Petitioner
Versus

1. The State of Bihar
2. Bibha Devi Wife of Vivekanand Jha, D/o Satish Jha Resident of Village -
Rajla, P.S.- Kudhani, Distt – Muzaffarpur ... Opposite Parties

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Appearance :

For the Petitioner	:	Mr.Mahendra Thakur, Advocate
For the State	:	Mr.Mukeshwar Dayal, Addl Public Prosecutor
For the opp.party no.2	:	Mr. Mithilesh Kr.Vidhyarthi, Advocate

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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 323, 498A, 504/34 of the Indian Penal Code. .

In view of order of this Court dated 19.9.2019, parties are present in person.

Opposite party no.2 is willing to go to her matrimonial house, whereas the petitioner is also ready to take her to his house right now from the Court premises with undertaking that he will keep her with honour and care.

In view of the aforesaid development, 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 Additional Chief Judicial Magistrate 3, Muzaffarpur in Complaint case no. 849 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.

Needless to state that opposite party no.2 would have liberty to seek remedy even before the court below, if the petitioner defies the conditions of bail.

(Prabhat Kumar Singh, J)

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