

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76546 of 2018

Arising Out of PS. Case No.-1857 Year-2015 Thana- COMPLAINT CASE District- Banka *

Rakesh Tanti @ Tantan Son of Vijay Mandal, Resident of Village- Baghmari,
P.S. Katoriya, District Banka.

... .. Petitioner/s

Versus

1. State Of Bihar
2. Mamta Devi, wife of Rakesh Tanti, presently r/o. Mamta Devi, D/o Dinesh Tanti, Resident of Village- Persia, P.S. Chandan, District Banka.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shyama Nand Thakur

For the Opposite Party/s : Mr. R.P. Nat, APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

3 15-03-2019 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 498A, 323 IPC and Section 4 of the D.P. Act registered in connection with Complaint Case No. 1857/2015.

3. It is submitted that the petitioner has been falsely implicated and this is the first such complaint since the parties were married a year ago. The petitioner expresses his readiness to keep the OP No. 2, but it is the OP No. 2, who is not interested in living at the matrimonial home. The petitioner claims clean antecedents.

4. Despite service of notice, the OP No. 2 has neither entered appearance nor she represented when the matter is called today.

4. Be that as it may, in the event of the petitioner's arrest or surrender before the 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 like amount each to the satisfaction of learned SDJM, Banka, in connection with Complaint Case No. 1857/2015



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. 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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