

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2528 of 2019

Arising Out of PS. Case No.-31 Year-2018 Thana- MAHILA P.S. District- Bhagalpur

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Santosh Kumar Suresh Mandal Resident of village- Hathiondha Mandal
Tola, Police Station- Bihariganj, District-Madhepura

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Dulari Kumari Umesh, wife of Satosh Kumar an daughter of Umesh Mandal Resident of village- Simaria, Post Office- Bimdas Tola, Police Station, Rangra Chowk, District- Bhagalpur.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajesh Kumar
For the Opposite Party/s : Mr.Nand Kishore Pd(App38)

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 498(A), 323, 504, 504, 34 IPC and Section 3 and 4 of the D.P. Act registered in connection with Naugachia Mahila P.S.Case No. 31of 2018.

3. It is submitted that the petitioner who is the husband of the informant, has been falsely implicated and in any event he expressed his readiness to keep his wife with full dignity and honour. As a matter of fact, it is the informant who has reservations about living with the petitioner. It is submitted that the parties have been married for more than a year and this is the first complaint of its nature. There is no injury report to corroborate the assault and torture. The petitioner claims clean antecedents.

4. Be that as it may, having regard to the entirety of the facts and circumstances, 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, Naugachia in the District of Bhagalpur in connection with Naugachia Mahila P.S. Case No. 31 of 2018, 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. That the petitioner shall co-operate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.
- iv. 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)

Chandran/-

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