

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83281 of 2019

Arising Out of PS. Case No.-15 Year-2019 Thana- RUDRAPUR District- Madhubani

ASHISH CHANDRA MOHAN @ ASHISH CHANDRA MOHAN MISHRA
Son of Chandra Mohan Mishra @ Chandra Mohan Resident of Village -
Shivpuri, Jhanjharpur, P.S. - Lakhanour, District - Madhubani.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Nivedita Kumari W/O Ashish Chandra Mohan Mishra, D/O Shiv Kumar Jha
Village - Harari, P.S. - Rudrapur, District - Madhubani.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nagendra Kumar Singh
For the Opposite Party/s : Mr.Pradeep Narain Kumar

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

3 26-06-2020 This application for anticipatory bail arises out of Rudrapur P.S. Case No. 15 of 2019, G.R. No. 237 of 2019, disclosing the offence under Sections 341, 323, 379, 498-A, 504, 506, 34 of the Indian Penal Code and Sections 3/4 of the Dowry Prohibition Act.

I have heard learned counsel for the petitioner and learned counsel for the informant. Learned Additional Public Prosecutor Mr. Pradeep Narain Kumar is also present.

Petitioner is the husband of the informant. On perusal of the FIR and the order passed by the court of learned Additional Sessions Judge, Jhanjharpur, whereby the petitioner's application for grant of anticipatory bail has been rejected, it appears that there is matrimonial discord between the petitioner and the informant. It is almost an admitted fact that none



of the parties are ready to live together and lead a conjugal life.

Learned counsel for the informant has submitted that the informant needs to be duly compensated.

Be that as it may, in the facts and circumstances of the case, this application is allowed. Let the petitioner, above-named, in the event of his arrest/surrender within six weeks from today in the court below, be released on bail on furnishing bail bonds of Rs. 10,000/-(ten thousand), with two sureties of the like amount, each to the satisfaction of learned ACJM, Jhanjharpur, Madhubani in Rudrapur P.S. Case No. 15 of 2019, G.R. No. 237 of 2019, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the Police/ Court, as the case may be, as and when required and in the event of failure on his part to appear before the court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

The informant shall be at liberty to take appropriate steps for seeking maintenance before the appropriate forum.

(Chakradhari Sharan Singh, J)

Rajesh/-

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