

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14800 of 2021

Arising Out of PS. Case No.-98 Year-2020 Thana- HATHIDAH District- Patna

RAKESH KUMAR GAUTAM S/o Haridwar Sharma R/o Village- Bidhipur,
P.S.- Salimpur, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ratanakar Jha, Adv

For the Opposite Party/s : Mr. Anil Kumar, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

7 07-10-2021 Heard learned counsel for the petitioner and
learned APP for the State.

This Court would expect that the petitioner's Counsel would honour his undertaking in the instant proceedings regarding supply of requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

Petitioner seeks bail in connection with Hathidah P.S. Case No. 98 of 2020 registered under Sections 341, 323, 354(B),(C), 498(A), 376, 511 and 506 of the Indian Penal Code and Section 3 and 4 of D.P. Act.

This is the second case against the petitioner under Section 498A IPC as per allegations. Counsel for the petitioner submits that the earlier case was compromised between the parties. The informant has lodged the second case under Section



498A IPC to gain undue advantage in the divorce proceedings. The petitioner is a constable and on account of his false implication his service career is also jeopardised. He is stated to be in custody since 24.11.2020.

Learned APP has opposed the prayer for bail. Counsel for the informant has not appeared.

Considering the rival submissions as also the facts and circumstances of the case, this Court for the purposes of grant of bail is inclined to accept the submissions advanced by the petitioner's counsel. Prayer for bail of the petitioner is allowed. Let the petitioner above named 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 A.D.J. 1, Barh in Hathidah P.S. Case No. 98 of 2020, subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his



bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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