

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32301 of 2021

Arising Out of PS. Case No.-84 Year-2020 Thana- SRINAGAR District- West Champaran

Rakesh Singh @ Rakesh Kumar Singh, aged about 40 years, Male, Son of Late Chhotelal Singh Resident of Village - Pujaha Patjirwa, P.S. - Srinagar, Distt. - West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner : Mr. Bimlesh Kumar Pandey, Adv.
For the Opposite Party : Mr. Sanjeev Kumar, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 24-12-2021 Heard learned counsel for petitioner and learned counsel for the State.

Learned counsel for the petitioner is expected to honour his undertaking given in the instant case for depositing the requisite court fee and to remove the defects as pointed out by office when called upon to do so by the office.

The petitioner seeks bail in *Srinagar (Pujaha)* PS Case No. 84 of 2020, instituted for the offence under Sections 341,323,498A and 504 of the Indian Penal Code.

There is an allegation that the petitioner has subjected the informant to cruelty and also solemnized second marriage.

Learned counsel for the petitioner submits that in the year 2015 also similar allegations had been levelled by the informant



in Complaint Case No.2104 of 2015. The prosecution case is based on extraneous consideration. The marriage of the petitioner with the informant was solemnized nearly 11 years back. There are also two children born out of the wedlock and the petitioner has remained in custody since 20.10.2020. Allegation of assault have not been corroborated during the course of investigation.

Learned APP representing the State has opposed the prayer for bail.

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 bond of Rs. 10,000/-(Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate- 1st Class, Bettiah, West Champaran, in connection with *Srinagar (Pujaha)* PS Case No.84 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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