

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6263 of 2021

Arising Out of PS. Case No.-787 Year-2007 Thana- JEHANABAD COMPLAINT CASE
District- Jehanabad

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Tapeshwar Bind aged about 40 years (male) Son of Lakhan Bind Resident of Village - Bodhi Bigha Tola Nagwa, Post - North Serthu, Police Station - Pali (Kako), District - Jehanabad

... .. Petitioner/s

Versus

1. The State of Bihar
2. Runta Devi @ Balkeshiya Devi Wife of Tapeswar Bind Resident of Village - Bodhi Bigha Tola Nagwa, Post - North Serthu, Police Station Pali (Kako), District - Jehanabad, at Present and daughter of Gopal Bind, resident of Village - Pandaul Tola Pati Bigha, Post- Pandaul, Police Station - Sakurabad, District - Jehanabad

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Subhash Kumar
Mr.Tej Narayan Singh

For the Opposite Party/s : Mr.Bal Mukund Pd.Sinha
Mr.Rabindra Pd. Singh

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3. 05-08-2021 Heard learned counsel for the parties through video conferencing.

The petitioner seeks bail in Complaint Case No. 787 of 2007, registered for the offence under Sections 147, 148, 149, 323, 307, 498(A), 379, 406, 494 of the Indian Penal Code.

The allegation, as per complaint petition, is that marriage of the complainant was solemnised with the petitioner in the year 2003 and thereafter, it is alleged that the complainant



was physically and mentally tortured by the petitioner and finally, she was ousted from her matrimonial house.

It is submitted on behalf of petitioner that no such occurrence has taken place and petitioner is ready to keep the complainant/opp.party no. 2 with full dignity and honour. Petitioner is in custody since 16.06.2020.

However, learned counsel for the informant has vehemently opposed the bail petition and submitted that petitioner has already solemnised second marriage.

Considering the aforesaid facts and circumstances and that fact that petitioner is in custody since 16.06.2020, the bail petition of petitioner is allowed.

Let the above named petitioner 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 learned Judicial Magistrate 1st Class, Jehanabad in connection with Complaint Case No. 787 of 2007, on the following conditions:

“(1) Petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court below and shall remain physically present, as directed by the court below, and on his absence on two consecutive dates without sufficient reason, his bail-bond shall be cancelled by the court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the



prosecution will be at liberty to move for
cancellation of bail.”

(Prabhat Kumar Singh, J.)

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