

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7058 of 2020

Arising Out of PS. Case No.-61 Year-2019 Thana- PHULWARIA District- Begusarai

Rajesh Kumar Son of Dev Nandan Ray Resident of Village - Malti, P.S.-
Phulwaria, District- Begusarai

... .. Petitioner/s

Versus

1. The State of Bihar
2. Priya Kumari Wife of Rajesh Kumar, D/O - Ram Balak Ray Presently
residing at Village - Kavia, P.S.- Bhagwanpur, District- Begusarai

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gautam Kumar Kejriwal, Advocate
For the Opposite Party/s : Mr. Dilip Kumar No. 1, APP

CORAM: HONOURABLE MR. JUSTICE A. M. BADAR
ORAL ORDER

4 07-01-2022 Mr. Verma, Advocate, appears for Opposite Party
No.2 despite service.

This is an application for grant of anticipatory bail
for the offences punishable under Sections 498A, 406, 307
and 323 of the Indian Penal Code vide Crime No. 61 of 2019
registered with Phulwaria Police Station on the basis of order
passed under Section 156(3) of the Cr.P.C. in the complaint
lodged by the Opposite Party No.2/wife.

Heard the learned counsel appearing for the
applicant/accused.

My learned predecessor vide order dated
28.02.2020 was pleased to grant ad interim anticipatory bail to
the present applicant, who happens to be the husband of the



complainant. The said order is still continuing. It is reported by the parties that the investigation of the crime in question is already over and the charge sheet has been filed.

In this view of the matter, there is no question of custodial interrogation of the present applicant. I see no reason for not confirming the order passed by the coordinate Bench of this Court way back on 28.02.2020 granting ad interim anticipatory bail to the applicant. Therefore, the order:-.

i. The application is allowed.

ii. The applicant/accused, in the event of his arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, in Crime No. 61 of 2019 registered with Phulwaria Police Station for the offences punishable under Sections 498A, 406, 307 and 323 of the Indian Penal Code, be released on anticipatory bail on executing P.R. bond of Rs.15,000/- (Rupees Fifteen Thousand) on furnishing surety of the like amount to the satisfaction of the trial court with the following conditions: -

(I) The applicant/accused should not extend any threat, promise of inducement to the persons acquainted with the facts of the accusation against him so as to dissuade him from



disclosing such facts to the Court or to any police officer.

(II) The applicant/accused should cooperate the trial court in expeditious disposal of the trial against him.

(III) The applicant/accused should not contact the members of the prosecuting party as well as witnesses in this case in any manner till conclusion of the trial.

(IV) The applicant should not repeat commission of similar offence in future and if he is found to be involved in commission of similar offence, the State is at liberty to apply for cancellation of bail granted to the applicant in the instant case.

The applicant to remove all office objections forthwith and the Registry to issue the certified copy of this order only after removal of office objections by the appellant/accused.

(A. M. Badar, J)

Mkr./-

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