

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14557 of 2022

Arising Out of PS. Case No.-5 Year-2021 Thana- MAHILA P.S. District- Saran

=====

VIJAY RAI Son of Sri Panchu Ray, Resident of Village - Kadana Rampur
Khaki Baba ke Tola, P.s.- Garkha, District - Sarana.

... .. Petitioner

Versus

1. THE STATE OF BIHAR
2. Kiran Devi Wife of Vijay Ray , D/o. Sri Baiju Rai At present resident of
Village - Purushotampur, Subarna, P.s. Avatar nagar, District - Saran at
Chapra.

... .. Opposite Parties

=====

Appearance :

For the Petitioner/s : Mr. Udai Shankar Singh, Advocate.
For the Opposite Party/s : Mr. Umeshanand Pandit, APP.

=====

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 06-07-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Mahila P.S. Case No. 05 of 2021 lodged under Section 498 (A)
of the Indian Penal Code and $\frac{3}{4}$ D. P. Act.

The present F.I.R. is the result of complaint case filed
under Section 156 (3) of Cr.P.C. It transpires from the order
sheet of B.P. No.1144 of 2021 of A.D.J.-XIII, Saran, Chapra that
the informant has categorically stated that in the present
circumstances, she is not ready to live with her husband.

Learned counsel for the petitioner submits that petitioner is in custody since 24.07.2021 and charge sheet has already been filed in this case.

Learned A.P.P. opposes the prayer for bail.

In the present facts and circumstances of the case that the charge sheet has already been filed in this case and petitioner is in custody since 24.07.2021 and the stand of wife is clear that she is not ready to live with her husband in the present circumstance, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M. Chapra (Saran) in connection with Mahila P.S. Case No. 05 of 2021, subject to the following conditions:-

(i) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.

(ii) At the time of furnishing bail bond, the petitioner shall file an affidavit to the effect that he shall not indulge himself in future in the similar type of offence. If it is found so, the prosecution will have liberty to file an application before the court below for cancellation of the bail of the petitioner and the learned court below will take decision in accordance with law.

Accordingly, the bail application stands disposed of.

(Dr. Anshuman, J)

ravishankar/-

U		T	
---	--	---	--