

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30250 of 2021**

Arising Out of PS. Case No.-408 Year-2019 Thana- BAIRIYA District- West
Champaran

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Mukesh Kumar Sah S/o Baidyanath Sah R/o village - Tadhwanandpur, P.S.
- Bairiya, Distt. - West Champaran. Petitioner

Versus

1. The State of Bihar
2. Madhu Devi, aged about 25 years, Female, W/O Mukesh Kumar Sah ,
D/O Shambhoo Sah R/o village - Tadhwanandpur, P.S. - Bairiya, Distt. -
West Champaran. At Present R/O Village - Kumarbagh, P.S. - Chanpatiya,
Distt. - West Champaran.

... .. Opposite Parties

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Appearance :

For the Petitioner : Mr. Bimlesh Kumar Pandey, Advocate

For the State : Mr. Md. Shakir Ahmad, APP

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

4 09-03-2022 Heard learned counsel for the petitioner and learned
APP for the State.

Learned counsel for the petitioner is permitted to
remove defect(s), as pointed out by the office, if any, within a
period of four weeks from today.

The petitioner apprehends his arrest in connection
with Bairiya P.S. Case No. 408 of 2019 registered for the offences
punishable under Sections 341, 323, 498A, 504 and 506/34 of
the Indian Penal Code.

The petitioner in paragraph-13 of the anticipatory
bail petition has submitted as follows:-

*“ That, it is humbly submitted that, the
opposite party no. 2 always used to go and
come to the places of her own choice and on*



*questions being asked relating to her such
dismal causing behaviour she becomes furious
and in that background she has lodged this
present case just to create pressure but now she
has again come to her matrimonial house and
residing at petitioner's house only."*

Considering the above paragraph-13, the present
anticipatory bail application is allowed.

Accordingly, let the petitioner above named be released
on bail, in the event of his arrest or surrender before the Court
below within a period of four weeks from today, on furnishing
bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the
like amount each to the satisfaction of learned Additional Chief
Judicial Magistrate 1st, Bettiah, West Champaran, in connection
with Bairiya P.S. Case No. 408 of 2019, subject to the conditions
as laid down under Section 438(2) of the Cr. P.C.

The Court below will release the petitioner on
provisional anticipatory bail. After verifying the facts stated in
paragraph-13 from the informant and if the informant does not
cooperate then a report be called from the local
police/authorities and thereafter will take a final decision
whether confirm the bail of the petitioner or cancel the bail bond
of the petitioner.

(Sandeep Kumar, J)

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