

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41749 of 2022

Arising Out of PS. Case No.-162 Year-2022 Thana- DESARI District- Vaishali

Chandan Kumar Son of Late Nawal Rai @ Nabbu Rai Resident of Village -
Majrohi @ Sahariya, P.S.- Desari (Sahdai O.P.), District - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Lovekush Kumar, Adv.

For the Opposite Party/s : Mr. Binod Kumar No. 3, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 05-12-2022 Let the defect(s), if any, be removed within two
weeks from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Desari (Sahdai O.P.) P.S. Case No. 162 of 2022 lodged under
Sections 341, 323, 307, 498A, 504 and 506 of the I.P.C.

As per the prosecution case, the informant wife has
filed the F.I.R. alleging therein that she went to her husband's
house by the order dated of 12.04.2022 but again her husband's
torture started, due to which, she filed the present case on
17.04.2022, under various Sections of the I.P.C.

Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. Learned

counsel for the petitioner submits that petitioner is innocent and has committed no offence. He submits that by the earlier complain case was filed by the informant in which supplementary bail was granted to him with a condition that husband and wife shall live happily and just after 4-5 days. Learned counsel for the petitioner submits that she (informant) again filed the present criminal case in connivance with the enemy of the petitioner, who is a local politician and who called petitioner for negotiations and forcefully sent him to jail with the help of local police. He further submits that petitioner is in custody since 18.04.2022. Charge-sheet has already been filed in this case under Sections 498A, 323, 504. Learned counsel for the petitioner submits that police has found this case false under Section 307 of the I.P.C.

Learned counsel for the State opposes the prayer for bail.

Learned counsel for the informant vehemently opposes the prayer for bail. He submits that the informant wife want to live with the petitioner. The petitioner is not ready and flatly refuses to live with the informant.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be

granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. IX Vaishali at Hajipur in connection with Desari (Sahdai O.P.) P.S. Case No. 162 of 2022, subject to the conditions as laid down under Section 437(3) of Cr.P.C.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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