

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61463 of 2021

Arising Out of PS. Case No.-22 Year-2021 Thana- NATHNAGAR District- Bhagalpur

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Naveen Kumar @ Naveen Sah @ Rohit Kumar @ Pintu Son of Anandi Sah
Resident of Village - Rampur Khurd, P.S. - Madhusudanpur, District -
Bhagalpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Manoj Kumar Jha, Advocate

For the Opposite Party/s : Mr.Renuka Ratnakar, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 16-05-2022 Heard counsel for the parties.

Let the defect(s), if any, as pointed out by the office
be removed within a period of four weeks.

The petitioner is in jail in connection with Nathnagar
(Madhusudanpur) P.S. Case No. 22 of 2021 registered under
sections 341, 323, 498A, 504, 506/34 and 494 of the Indian
Penal Code.

The allegation against the petitioner is that marriage
was solemnized in the year 2006 and a baby girl was also born
from the said wedlock. However, later the husband demanded
Rs. One lakh and upon her inability to pay the same, she was
assaulted and the present FIR was accordingly lodged.

Learned counsel for the petitioner had earlier



submitted that since it is dispute regarding marriage with the informant, for the proper appreciation of the case as to how the investigation has moved in this case perusal of the case diary will be essential.

Accordingly, on 20.4.2022, case diary was called in this case which has been received.

Learned counsel for the petitioner with the support from para-11 of the bail application has denied the solemnization of the marriage with the informant herein stating that he married one Phool Devi in 2003 with whom he is already facing charges under section 498 of the Indian Penal Code. He further submits that in this case he surrendered before the Court on 3.4.2021 (as stated in para-14 of the bail application).

Considering the fact that charge-sheet stands submitted and he is in custody since 3.4.2021, this Court is inclined to grant him the privilege of bail.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned A.C.J.M.-1st, Bhagalpur, in connection with Nathnagar (Madhusudanpur) P.S. Case No. 22 of 2021 subject to the following conditions:-

(i) one of the bailors should be the family member of



the petitioner, who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reasons will entail his cancellation of bail by the Trial Court itself;

(iv) he shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

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