

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69856 of 2021

Arising Out of PS. Case No.-10 Year-2021 Thana- MAHILA P.S. District- Bhagalpur

ARBIND JAISWAL @ ARBIND KUMAR JAISWAL Son of Dev Narayan
Bhagat Resident of Village- Karikado, P.S.- Kahalgaon, District- Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Neha Kumari W/o Arbind Jaiswal @ Arbind Kumar Jaiswal , D/o- Kailash Bhagat R/o Village - Belari, P.S. - Shambhuganj, Distt. Banka. At present - posted as Constable in Saheed Jubba Sahani Kendriya Kara Bhagalpur.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Dr. Manoj Kumar

For the Opposite Party/s : Mrs.Asha Kumari

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

5 20-07-2022 Heard learned counsel for the petitioner and learned
APP for the State. None appeared for the informant.

The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Mahila P.S. Case no. 10 of 2021 instituted for the offence under Sections 323, 341, 494, 498A, 120B, 504, 506/34 of the Indian Penal Code.

As per allegation in the FIR, petitioner along with his family members has tortured in various ways to the informant and lastly petitioner has performed another marriage with another lady.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is husband of the informant and he



has been falsely implicated in this case. Informant had also filed a case vide Mahagama P.S. Case No. 51 of 2014 prior to lodging the present case and since then petitioner is not residing with the informant so Section 498A of the IPC is not attracted against the petitioner. Informant is a police constable and she is posted at Kendriya Kara, Bhagalpur.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Mahila P.S. Case no. 10 of 2021, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned ACJM-II, Bhagalpur subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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