

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21063 of 2024

Arising Out of PS. Case No.-25 Year-2021 Thana- ALINAGAR District- Darbhanga

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ANKESH KUMAR JHA @ SAROJ JHA @ SRI ANKESH KUMAR @
ANKESH KR. JHA S/O- SRI PARMANAND JHA R/O- VILLAGE- NAWA
NAGAR, P.S.- ALI NAGAR, DIST.- DARBHANGA.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR BIHAR, PATNA
2. KALYANI KUMARI W/O- ANKESH KUMAR JHA @ SAROJ JHA @
SRI ANKESH KUMAR R/O- VILLAGE- NAWA NAGAR, P.S.- ALI
NAGAR, DIST.- DARBHANGA AT PRESENT DAUGHTER OF RAM
SUDIST JHA, R/O- VILLAGE- POHADDI, P.S.- BAHERA, DIST.-
DARBHANGA.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anil Chandra
For the Opposite Party/s : Mr.Umanath Mishra

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**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

4 23-08-2024 Heard the learned counsel for the petitioner as well
as the learned counsel for O.P. No. 2.

2. The petitioner is seeking regular bail in connection
with Alinagar P.S. Case No. 25 of 2021 registered for offence
punishable under sections 498(A), 494/34 of the Indian Penal
Code.

3. It is a case of matrimonial dispute.

4. The petitioner was granted regular bail vide order
dated 20.03.2023 passed in Cr. Misc. No. 74287 of 2022 and in
course of hearing the bail petition, the learned counsel for the



petitioner assured that he shall pay Rs. 12,000/- per month as maintenance to his children and wife.

5. The learned counsel for the petitioner submits that due to financial scarcity as the petitioner had remained under custody for eight months, he could not stand to his words, given at the time of hearing of his bail petition. It was the reason that he surrendered before the court below and after his surrender, he remained under custody for further five months. In the meantime, his mother died and he was granted provisional bail. Just after lapse of duration of provisional bail, he again surrendered and he is under custody.

6. On the other hand, the learned counsel for the opposite party no. 2 submits that out of nine witnesses, eight have already been examined and only one witness is remain to be examined.

7. It appears that the petitioner has already suffered an incarceration of fourteen months.

8. Considering the above-mentioned facts and circumstance, let the petitioner above-named be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand rupees) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Benipur, District-



Darbhangha in connection with Alinagar P.S. Case No. 25 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) The petitioner shall remain present physically on each and every date before the court below. In case of failure on two consecutive dates, unless he is prevented by extremely adverse circumstances, the learned court below will be at liberty to cancel the bail bonds of the petitioner.

(Nawneet Kumar Pandey, J)

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