

Arising Out of PS. Case No.-694 Year-2023 Thana- SAMASTIPUR COMPLAINT CASE
District- Samastipur

... .. Petitioner

Versus

- Opposite Parties

For the Petitioner	:	Mr. Madhav Kumar, Advocate
For the State	:	Mr. Umeshanand Pandit, APP
For the O.P. No.2	:	Mr. Vinay Kumar Mishra, Advocate

4. Learned counsel for the petitioner submits that the



Petitioner is innocent and has falsely been implicated in this case. He further submits that as a matter of fact, the marriage is not working and hence, the Complainant has left the matrimonial home on her own. He also submits that the petitioner is ready to keep her in his house. He also submits that the maximum punishment prescribed for the alleged offence is three years.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the bail petition that the petitioner has no criminal antecedent.

7. However, learned APP for the State as well as learned counsel for the O.P. No.2 vehemently oppose the prayer of the Petitioner for bail.

8. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the petitioner, above-named, to be enlarged on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the



satisfaction of learned S.D.J.M, Rosera, Samastipur, in connection with Rosera Complaint Case No.694 of 2023, subject to the conditions as laid down under Section 438 (2) Cr.PC and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedents, learned court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J.)

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