
(2017) 04 JH CK 0037
In the Jharkhand High Court
Case No : 2203 of 2016

Bijoy Kumar Singh, son of Jitendra Mohan Singh	APPELLANT
Vs	
The State of Jharkhand	RESPONDENT

Date of Decision : 17-04-2017

Acts Referred:

[Code of Criminal Procedure, 1973](#), [Section 438\(2\)](#) - Direction for grant of bail to person apprehending arrest
[Indian Penal Code, 1860](#), [Section 498A](#) - Husband or relative

Citation : (2017) 04 JH CK 0037

Hon'ble Judges : Anant Bijay Singh

Bench : SINGLE BENCH

Advocate : S.P. Roy

Judgement

1. Heard learned counsel for the parties.
2. The petitioner is apprehending his arrest in connection P.C.R. Case No . 165 of 2015, corresponding to T.R. No. 1414 of 2016 for the offence under sections 498A of the I.P.C.
3. It appears that despite valid service of notice O.P. No. 2 has not appeared.
4. L.C.R has been received. From perusal of L.C.R, it appears that learned court below after holding enquiry, prima facie found the case under section 498A I.P.C and summons were directed to be issued.
5. Further, it appears that the petitioner is the husband of the complainant, I am inclined to admit the petitioner anticipatory bail on the following conditions;
 - (a) The petitioner will pay Rs. 1,500/- per month to his wife- complainant from the month of January, 2017 till disposal of the case as interim maintenance.
 - (b) The petitioner is directed to deposit the amount of interim maintenance before the Trial Court from January, 2017 to May, 2017 (total Rs. 7,500/-) on

the date of his surrender.

(c) Further, trial court is directed to issue notice to the complainant and after her appearance, Trial Court after proper verification release the said amount in her favour.

(d) The petitioner is directed to deposit the said amount on or before 20th day of every month in before the trial court.

(e) If the petitioner fails to deposit the aforesaid amount for two consecutive months, the complainant is at liberty to file application for cancellation of bail of the petitioner before this Court through learned counsel.

(f) Deposition of amount as personal expenses would be subject to result of any order passed by the competent court of jurisdiction.

6. In view of above, the petitioner is directed to surrender in the Court below within six weeks from the date of this order and in the event of his arrest or surrender the Court below shall enlarge the above named petitioner 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 S.D.J.M, Godda, in connection with P.C.R. Case No . 165 of 2015, corresponding to T.R. No. 1414 of 2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

7. Let a copy of this order along with L.C.R be communicated to the concerned Court.