

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49456 of 2015

Arising Out of PS.Case No. -12 Year- 2012 Thana -DHANSOI District- BUXAR

Satyendra Verma Son of late Gulab Seth, R/o Village-Chandpur,P.S-Dhansoi, Distt- Buxar. Petitioner/s

Versus

1. The State of Bihar.
2. Durga Devi W/o Satyendra Verma at present address village- Nayas Bazar, P.S- Buxar(T), Distt.- Buxar. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dr. Kamal Deo Sharma
For the Opposite Party/s : Mr. Raj Ballabh Singh (App)

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 05-11-2015 Heard learned counsel for the petitioner and learned counsel for the State.

In this case, the petitioner is seeking bail in connection with Dhansoin P.S. Case No. 12/2012 registered for offences under sections 498(A), 304 (B)/34 IPC has wrongly been given by the Police and 3/4 of the Dowry Prohibition Act.

The informant is alive, making a statement of harassment on account of dowry.

Earlier the petitioner was granted anticipatory bail by this Court in Cr. Misc. No. 41341 of 2013 with the condition to pay Rs. 750/- per month. In case of failure to pay the same, his anticipatory bail will be treated to have been automatically cancelled.

As the petitioner did not pay the amount on that score, his bail was cancelled and he is in jail since 26th August 2015.

In paragraph 9 of this petition, it has been stated that the

lady has entered into the 2nd marriage and that score, even after several notices, she did not turn up in the anticipatory bail case which is apparently clear from order dated 14/5/2014 passed in Cr. Misc. No. 41341 of 2013.

Looking to the facts and circumstances of the case, let the petitioner, above named, be released on bail on his furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Buxar in connection with Dhansoin P.S. Case No. 12/2012, subject to the condition that (i) one of the bailors shall be a close relative of the petitioner (ii) if the petitioner is found involved in future in similar type of case, the prosecution will be at liberty to make prayer for cancellation of his bail and the court below will pass necessary order, including cancellation of bail and (iii) the petitioner would cooperate the proceeding of the court below. In event of failure to appear on two consecutive dates, the court below will be at liberty to pass the order, including cancellation of bail bonds.

(Shivaji Pandey, J)

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