

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42565 of 2014

Arising Out of PS.Case No. -29 Year- 2014 Thana -RAXAUL District-
EASTCHAMPARAN(MOTIHARI)

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Sunil Sah S/O Late Jiut Sah, Resident of Village- Bharatmahi, P.S.- Raxaul,
Dist.- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar
2. Santoshi Devi D/O Kishori Sah, W/O Sunil Sah Resident of Village-
Birganj, Nagwa, Ward No.19, Nepal.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sangeet Deokuliar
For the Opposite Party/s : Mr. APP
For the Informant : Mr. Dhurendra Kumar

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 21-01-2015 Heard the parties.

The petitioner seeks bail in a criminal prosecution registered under Sections 498(A), 307/34 and some other allied offences under the Indian Penal Code, as also under Section 3/4 of the Dowry Prohibition Act.

It is highlighted that though the petitioner happens to be husband of the informant, but there is no specific allegation of causing any specific injury to the informant. It is further highlighted that the petitioner is in judicial custody since 16.07.2014.

Taking into consideration the aforesaid circumstances particularly the period of incarceration, his prayer for bail is allowed. The petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 25,000/- with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Raxaul at Motihari, East Champaran in connection with Raxaul P.S. Case No. 29 of 2014, subject to the conditions that:

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- (A) One of the bailors must be government servant or close family member of the petitioner, who will file an affidavit in the court below showing his/her relationship with the petitioner,
- (B) if the petitioner is found involved in same and similar nature of cases in future, then in that case the informant/ prosecution shall be at liberty to file a petition for cancellation of the bail of the petitioner, and if such a petition is filed, the court below would be obliged to dispose of the same in accordance with law after giving opportunity of hearing to all concerned and
- (C) the petitioner shall make regular pairvi in the court below in the present case either by appearing himself in person or through representation by his lawyer on each and every dates, and if on two consecutive dates petitioner fails to make pairvi, then the court below shall be at liberty to cancel the bail bonds of the petitioner.

(Birendra Prasad Verma, J)

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