

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17334 of 2015

Arising Out of PS.Case No. -76 Year- 2014 Thana -DIGHA District- PATNA

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Arvind Kumar S/o Inder Rai Resident of Village Makhdumpur Kurjee,
Police Station Digha, District Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Alok Kumar Sinha, Advocate.

For the Opposite Party/s : Mr. Pramod Kr.Panday, APP

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

2 25-06-2015

Heard learned counsel for the parties.

Having regard to the nature of allegation against the petitioner for offence under Section 498-A of the Indian Penal Code and Sections 3 and 4 of the Dowry Prohibition Act and the fact that despite indulgence given by this Court while granting him privilege of anticipatory bail had directed him to patch up the matter with his wife and even then a second episode has been reported by the wife of the petitioner this Court is not inclined to grant anticipatory bail to the petitioner.

When such an observation was made, learned counsel for the petitioner has submitted that the petitioner will be ready to support the informant being his wife and also his nine years old daughter by way of making payment of a sum of Rs. 4000/- per month till the end of the trial.



That being so, if the petitioner, namely, Arvind Kumar surrenders within a period of four weeks from today and gives an undertaking of paying Rs. 4,000/- per month to the informant Seema Kumari, commencing from the month of June 2015 and onwards by every 5th day of next month till the end of pending trial against him in connection with present case, he shall be released on bail on furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, Ist Class, Patna in connection with Digha P.S.Case No. 76 of 2014, subject to the following conditions:

- (i) That monthly payment of Rs. 4,000/- by the petitioner shall be made in the bank account of the informant Seema Kumari, to be furnished by the informant in the court below within 15 days of the receipt of this order, and such monthly payment in the bank account of the informant by the petitioner, commencing from the month of June 2015, is made without fail by every 5th day of the next month till the conclusion of the trial. It is, however, made clear that on failure of payment,

even a single monthly instalment by the petitioner within the prescribed time, shall automatically entail the consequence of cancellation of his bail.

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- (ii) That both the bailors will be close family relatives of the petitioner, who will undertake an affidavit giving genealogy as to how they are related with the petitioner. The bailors will also undertake to inform the court if there is any change in the address of the petitioner.
 - (iii) That the bailors shall also state on affidavit that they will inform the court concerned, if the petitioner is implicated in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of his bail on the ground of misuse.
 - (iv) That the petitioner will be well represented on each and every date in

course of trial and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled on this ground alone.

(Mihir Kumar Jha, J)

Sujit/-

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