

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12417 of 2017

Arising Out of PS.Case No. -25 Year- 2016 Thana -MARKAHI District- KHAGARIA

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1. Barun Sah, Son of Triveni Gupta @ Late Tribeni Sah, Resident of Village- Rasaunk, P.S.- Modkahi, District- Khagaria.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Nisha Kumari Wife of Barun Sah, Resident of Village- Rasaunk , P.S.- Morkahi, District- Khagaria at Present D/o Nepal Saw, resident of Village- Matiharni, P.S.- Mansi, District- Khagaria.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bishweshwar Ram
For the Opposite Party/s : Mr. Sri Dinesh Singh
For opposite party no. 2 : Mr. Suraj Narain Yadav

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

6 17-07-2017 The petitioner seeks regular bail in connection with Morkahi P.S. Case No. 25 of 2016, registered for offences punishable under Sections 328, 307, 498A of the Indian Penal Code and Section 3/4 of Dowry Prohibition Act.

Petitioner is husband and allegation is of demand of dowry and cruelty and torture.

From perusal of the record, it appears that this case was earlier sent to Mediation Committee and Mediator's report is available at Flag -X, which shows that a compromised has been reached between the parties but later on opposite party no. 2 did not choose to appear.



Learned counsel for the petitioner has submitted that there is no fault on the part of the petitioner and he has been in judicial custody for last more than six months.

Having heard both sides, considering the aforesaid facts and circumstances of the case, let the petitioner above named, be released on bail on furnishing bail bonds of Rs. 25,000 (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned SDJM, Khagaria, in connection with Morkahi P.S. Case No. 25 of 2016, subject to the following conditions:-

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court and on the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reasons, the



prosecution is free to move for cancellation
of his bail.

At the same time, trial court is directed to expedite the
trial and try to conclude it within a period of nine months.

It is needless to say that petitioner shall cooperate in
expeditious disposal of trial.

(Vinod Kumar Sinha, J)

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