

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25166 of 2017

Arising Out of PS.Case No. -176 Year- 2016 Thana -PATLIPUTRA District- PATNA

=====

1. Abhishek Kumar, son of Sri Dharambir Mahto, resident of Mohalla-
Rahamganj, Naka No.1, P.S.- Darbhanga Town, District- Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Anupama Kumari @ Babita Chaudhary, wife of Abhishek Kumar,
daughter of late Bhagwan Chaudhary, resident of House No.285/3E,
New Patliputra Colony, P.S.- Patliputra, District- Patna.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Rana Vikram Singh, Advocate

For the Opposite Party/s : Smt. Nirmala Kumari, APP

Mr. Krishna Chandra, Advocate

=====

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4/ 06-10-2017

Heard learned counsel for the petitioner and learned

APP for the State as well as counsel for the Opposite Party No.2.

Petitioner apprehends his arrest in Patliputra P.S.

Case No.176 of 2016 instituted for the offence under Section(s)

498-A, 313, 307, 494/34 Indian Penal Code and Section 34 of the

Dowry Prohibition Act.

Counsel for the petitioner as well as counsel for the

Opposite Party No.2 have appeared and jointly submitted that the

petitioner and the Opposite Party No.2 are living together and

leading happy conjugal life.

Counsel for the Opposite Party No.2 has further

submitted that the petitioner may be directed to keep the wife-



Opposite Party No.2 with full dignity and care even after grant of bail.

In the facts and circumstances of the case, prayer of the petitioner for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today in connection with **Patliputra P.S. Case No.176 of 2016**, he shall be released on anticipatory bail on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the **Additional Chief Judicial Magistrate-XII, Patna**, subject to the conditions as laid down under Section 438(2) Cr. P. C. with further conditions: (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioner and (3) if petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

It is made clear that in the event physical and mental torture is, again, committed with the Opposite Party No.2 after



grant of anticipatory bail to the petitioner, the Complainant will be at liberty to file appropriate application in the Court below for cancellation of bail of the petitioner, which shall be disposed off by the Court below in accordance with law.

(Sanjay Priya, J)

JA/-

U		T	
---	--	---	--

