

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39035 of 2017

Arising Out of PS.Case No. -149 Year- 2015 Thana -MAHILA P.S. District- BHOJPUR

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1. AKHILA NAND UPADHYAY @ AKHILA NAND
UPADHYA@AKHLANAND UPADHAY, Son of Dev Nath Upadhyay,
Resident of Village- Kathaja, P.S.- Rajpur, District- Buxar.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravindra Kumar

For the Opposite Party/s : Mr. Dr. Ajeet Kumar

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 19-08-2017 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Bhojpur Mahila P.S. Case No. 149 of 2015, disclosing offences under Sections 498A,323,504/34 of the Indian Penal Code and Sections 3/4 of the Dowry Prohibition Act.

Petitioner is the husband of the complainant.

Learned counsel for the petitioner submits that the petitioner is ready to keep the complainant with full honour, love and dignity.

It is evident from the materials on record that matrimonial discord between the wife and husband is the root cause for registration of the First Information Report. No purpose will be served, if the petitioner is taken into custody.

It is submitted that the petitioner shall present



himself before the police as and when required and there is no chance that he will tamper with the evidence or influence the witnesses.

Considering the nature of accusation and submissions advanced on behalf of the petitioner, this application is allowed.

Let the petitioner above named in the event of his arrest/surrender within six weeks from today in the Court below, be released on bail on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Ara at Bhojpur in Bhojpur Mahila P.S. Case No. 149 of 2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the Police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

ArunKumar/-

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