

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.62443 of 2017

Arising Out of PS.Case No. -87 Year- 2017 Thana -DHAKA District-
EASTCHAMPARAN(MOTIHARI)

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Birendra Rai @ Bigu Rai, Son of Anup Rai, Resident of Village - Bakhari
Khajuri, P.S. - Dhaka, District East Champaran.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Surendra Kishore Thakur, Advocate

For the Opposite Party/s : Smt. Anita Kumari Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 21-12-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in **Dhaka P.S.**

Case No. 87 of 2017, G.R. Case No. 311 of 2017 instituted for
the offence under Sections 498(A), 509 of the Indian Penal Code
and Sections 34 of Dowry Prohibition Act..

It is alleged in the written report that the informant
has settled the marriage of his daughter with son of the petitioner
but the marriage could not be solemnized as wife of this petitioner
has died.

Learned counsel for the petitioner has submitted that
now good sense has been prevailed between the parties and a
compromise petition has also been filed in the court below which
is annexed as Annexure-2.



Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioner is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today, in connection with **Dhaka P.S. Case No. 87 of 2017, G.R. Case No. 311 of 2017**, he shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of **learned Sub Divisional Judicial Magistrate, Sikrahana, Dhaka, East Champaran, Motihari**, 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.

(Sanjay Priya, J)

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