

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22506 of 2017

Arising Out of PS.Case No. -43 Year- 2017 Thana -NATHNAGAR District- BHAGALPUR

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1. Vivek Kumar Son of Gauri Shankar Pd. Tanti Resident of Mohalla-
Champanagar, Tanti tola, P.S. Nathnagar, District Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar Jha

For the Opposite Party/s : Mr. Md. Anzarul Haque Sahara

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 11-05-2017 Heard the parties.

This application is for grant of regular bail in connection with Nathnagar P.S.Case No.43 of 2017, for the offences under Sections 431, 323, 498(A), 504 and 506/34 of the Indian Penal Code and Section 3 of Dowry Prohibition Act.

The petitioner is husband and allegation is under Section 498(A) of the Indian Penal Code.

It is submitted on behalf of the petitioner that as a matter of fact his wife was mentally ill and she was not behaving well as such family members of his wife came and after abusing him took the girl with them and lodged the present false and concocted case. The petitioner has also filed a Complaint Case bearing Application No.387 of 2016 dated 25.1.2016. It is further submitted that now



the petitioner has remained in custody for about three months and he is ready to any final settlement.

Having heard both sides and in view of stands of the petitioner, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of A.C.J.M.-I, Bhagalpur in connection with Nathnagar P.S.Case No.43 of 2017 corresponding to 533 of 2016.

With 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 co-operate 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.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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