

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1803 of 2017

Arising Out of PS.Case No. -288 Year- 2016 Thana -MAHILA P.S. District- BHOJPUR

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Mintu Sinha @ Mintu Kumar Sinha, Son of Ajay Kumar Sinha, Resident of
Village-Koil, P.S.-Charpokhari, District-Bhojpur, Bihar

.... Petitioner/s

Versus

1. The State of Bihar
2. Nitu Devi, daughter of Bhrigunath Sahai, Wife of Mintu Sinha, presently
residing at Tirojpur, P.S. Udwant Nagar, District-Bhojpur

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sudha Chandra, Advocate.

For the Opposite Party/s : Mr. Mritunjay Kumar Nirala, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 28-04-2017 Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in Bhojpur Mahila
P.S. Case No. 288 of 2016 instituted for the offence under Sections
341, 323, 498A, 406, 504, 34 of the Indian Penal Code and Sections 3/4
of Dowry Prohibition Act.

Petitioner is husband of the informant. It has been
specifically mentioned in paragraph-16 of the bail petition that he is
always ready to keep opposite party No. 2 (wife) with all prestige and
dignity. It has further been submitted that the petitioner has two
children. The informant is keeping those children with her. She does
not want to live with the petitioner.

Earlier the matter was sent to Patna High Court Mediation
and Conciliation Centre. As per report of the Mediator, the parties did



not agree to arrive at common settlement.

The opposite party No. 2 has appeared by filing Vakalatnama, but during hearing of the bail application, none appears on her behalf.

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 Bhojpur Mahila P.S. Case No. 288 of 2016, 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, Bhojpur at Ara, 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.

S.Ali/-

(Sanjay Priya, J)

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